

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ePLUS, INC.,)	
)	
Plaintiff,)	Civil Action No. 3:09-CV-620 (REP)
)	
v.)	
)	
LAWSON SOFTWARE, INC.,)	
)	
)	
Defendant.)	

**PLAINTIFF *ePLUS* INC’S OBJECTIONS TO DEFENDANT’S
COUNTER DEPOSITION DESIGNATIONS, COUNTER-
COUNTER DESIGNATIONS AND REVISED SUMMARY OF DAY 1
(OCTOBER 19, 2009) OF THE DEPOSITION OF DALE CHRISTOPHERSON**

Plaintiff, *ePlus*, Inc. (“*ePlus*”), through counsel, hereby submits the following specific objections to Defendant Lawson Software, Inc. (“*Lawson*”)’s Counter-Deposition Designations of day 1—October 19, 2009—of the deposition of Dale Christopherson and offers the following counter-counter designations and revised summary:

Specific Objections

Defendant’s Counter Designations	<i>ePlus</i>’s Objections to Defendant’s Counter Designations	<i>ePlus</i>’s Counter-Counter Designations
52:9-53:15		
64:19-67:1		
71:4-6		71:7-20
74:22-75:4		
78:4-17		
106:9-19	FRE 106 (designation fails to include witness’ entire answer)	106:20-107:5
107:11-20		
119:7-120:2		
120:15-21		
122:15-18		
125:18-22		

Defendant's Counter Designations	<i>e</i>Plus's Objections to Defendant's Counter Designations	<i>e</i>Plus's Counter-Counter Designations
127:8-11		
142:6-17		
144:3-9		144:10-14
157:2-15	157:2-8: non-responsive answer to question (FRE 611)	
164:18-21		
166:5-167:4	FRE 106 (counter-designated testimony bears no relation to corresponding designated testimony)	167:11-17
174:10-21		
176:15-177:3		
198:3-12	FRE 106 (counter-designated testimony bears no relation to corresponding designated testimony)	198:13-16
201:3-12		
202:9-19		
205:10-207:17		207:20-208:4
222:22-223:8		
240:22-242:4		

Revised Summary

Designated testimony relates to:

The S3 and the M3 are the two product lines sold by Lawson. Supply Chain Management is a suite within S3. Purchase Order, Inventory Control, Requisitions, Requisitions Self Service, Vendor, Customer, EDI, and Procurement Punchout are system codes within the Supply Chain Management suite. (38:11-39:17)

Mr. Christopherson was designated to testify on Lawson's behalf concerning Lawson's awareness of the *ePlus* patents-in-suit, among other topics. (50:19-52:8) Notwithstanding this, Mr. Christopherson failed to speak with anyone on Lawson's sales force or in Lawson's marketing department to investigate this issue. (54:14-55:2; 62:18-64:18; 77:1-10) Nor did Mr. Christopherson conduct a search for documents relating to *ePlus*. (67:2-68:12; 90:3-14) Mr. Lohkamp had already searched for documents in the competitive research department. (67:2-6) Mr. Christopherson did speak with Keith Lohkamp, who handles competitive research and analysis and who interacts with sales employees and account executives. (55:3-21; 62:18-63:21) Mr. Christopherson also spoke with Mr. Billgren regarding the M3 product. (64:19-67:1) Mr. Christopherson also spoke with members of his team, none of whom had heard of *ePlus*. (52:9-53:15) Mr. Christopherson was not aware whether anyone at Lawson had ever seen a demo of the *ePlus* Supply Chain Management solutions. (78:4-17)¹

Around Winter 2008, Lawson bid against *ePlus* and others for a contract with Cleveland Clinic. The Lawson products involved in the bid were Requisitions Self-Service with Punchout. Lawson, along with SciQuest, won that bid. (55:15-56:20) The content provided by SciQuest was key. (56:13-20)²

Lawson subscribes to industry analyst reports by Aberdeen, Gartner Group, and Forrester. (68:21-69:6) Some of these industry analyst reports are disseminated to several dozen executives within Lawson at least down to the director level and perhaps down to the manager level; some are not. (70:5-71:3) Mr. Christopherson was not aware of any clipping service that clips news stories to which Lawson subscribed. (74:22-75:4)

¹ Lawson suggests that the sentence read, "Mr. Christopherson also spoke with his team and Mr. Lohkamp to confirm that no one had seen a demo of the *ePlus* Supply Chain Management solutions." *ePlus* objects to this sentence as mischaracterizing the witness' testimony. The witness actually stated that he was not aware that anyone had seen such a demo. He did not state that he confirmed that no one had seen a demo of the *ePlus* solutions.

² Lawson suggests that the sentence read, "The content provided by SciQuest was the key to winning the bid." *ePlus* objects to this sentence as mischaracterizing the witness' testimony. The witness actually stated, "They needed-content was the key, because Lawson doesn't provide content. So they were interested in getting data from SciQuest, and then Lawson, that's who won."

Mr. Christopherson occasionally reviews internal reports about what the competition is up to. (74:9-18) No one from Mr. Christopherson's group directly receives the reports, although they sometimes indirectly receive them from Mr. Christopherson or a prior manager or director. (71:4-20)

Before Lawson releases an enhancement to a Supply Chain Management module, it does not perform an intellectual property clearance investigation to ensure that the enhanced feature will not infringe the intellectual property rights of third parties. (86:7-87:14) Mr. Christopherson did not know whether Lawson performs an intellectual property clearance investigation before it releases a new product.³ (86:13-87:7)

Lawson has not undertaken any efforts to modify or design its existing products specifically in order to avoid infringing ePlus patents. (105:10-106:12)

If Lawson could no longer make and sell a Requisitions module, then it would not be able to compete in the Supply Chain Management market. (106:4-8)⁴ If Lawson could no longer make and sell a Purchase Order module, then it would not be able to effectively compete in the healthcare industry if the healthcare industry requires Supply Chain Management products. (107:7-10) Even if Lawson could no longer make and sell a Punchout module, it would still be able to compete in the Supply Chain Management market.. For some customers, the Punchout module is important, but not for all customers. (107:11-20)

The Lawson Requisitions module gives a trained individual, such as an office administrator, the ability to go in and request things that he or she or a department may need to perform their business. There are two types of requests: (1) requests for inventory items and (2) requests for non-stock items. (114:1-22) The Inventory Control module needs to be installed in order to use the Requisitions module. The Requisitions module uses a portion of the Inventory Control module, including the Item Master. (140:13-19) There have been no major changes between version 8 and version 9 with respect to Requisitions and Requisitions Self-Service. (119:7-120:2)

The Requisitions-Self-Service ("RSS") module works on top of the Requisitions module. Unlike the Requisitions module, it does not require training. Anyone in a particular company can use RSS to request items. Users fill up an electronic shopping cart, and then check out. RSS interacts with the Requisitions module, such that when a user checks out, Requisitions creates a requisition. (115:20-117:2) In order to use RSS, the Requisitions, Inventory-Control, and Purchase-Order modules must be installed. (149:20-150:6; 150:9-18; 151:3-6)

³ Lawson's proposal for this sentence reads as follows: "Lawson does perform an intellectual property clearance investigation before it released a new product. (86:13-20)." ePlus objects to Lawson's proposed sentence because it mischaracterizes the witness's testimony.

⁴ After this sentence, Lawson proposed inserting the following sentence: "Even if Lawson could no longer make and sell a Requisitions Self-Service module, it would still be able to compete in the Supply Chain Management market. (106:9-19)." ePlus objects to this proposed sentence because it mischaracterizes the witness's testimony.

When Lawson ships the product, there are zero items in the Item Master. (120:15-21) The Inventory Control module is primarily used to set up items within the Item Master database for items in inventory, and then is used to keep track of how many of each item you have. But Item Master can also include data on non-inventory items, that the customer purchases. A customer can import a vendor catalog into the Item Master. A customer can also import into the Item Master data relating to the items in a vendor agreement that the customer negotiated with a particular vendor. It is possible to create a requisition by searching the Item Master for an item. (120:3-14; 120:22-122:7) There are no functional differences between the current version of the Inventory Control module and the last version 8 version of that module. (122:15-18)

The Purchase Order module can be used without a requisition process as a way to directly purchase items from a vendor. When there is a requisition, the Purchase Order module creates one or more purchase orders for the items in the requisition after the requisition has been approved. The Purchase Order, Requisitions, and Inventory Control modules are all integrated. (122:19-124:6) If the Purchase Order module is installed, then the Requisitions application will automatically route an order request (*i.e.*, requisition) to the Purchase Order application to have the Purchase Order application create the order. (141:9-15)

Procurement Punchout is a communication system used to communicate outside of RSS using the cXML standard that was created back in 1999. It is used to communicate with vendor websites. After a user fills up a shopping cart on a Punchout website and then checks out, data on the selected items is returned to RSS to create a requisition. Procurement Punchout is integrated with RSS. (124:17-125:17) There are no functional differences between the current version of the Punchout modules and the last version 8 version of that module. (125:18-22) To use Procurement Punchout, a customer must also license the following modules: RSS, Requisitions, Purchase Order, and Inventory Control. (183:7-14)

The EDI module works primarily with the Purchase Order module. EDI is a standard that was already in existence in the 1980s. It is another communication vehicle to send purchase orders to vendors and then to get their acknowledgement of receipt. There are certain message formats for the exchanged information. (126:1-14) Except for GTIN/GLN, there are no functional differences between the current EDI module and the last version 8 version of that module. (127:8-11)⁵

Currently Lawson comes up with maintenance service packs approximately twice a year. These service packs include enhancements to the Supply Chain Management modules. (128:12-17)

⁵ Lawson's proposal for the last sentence of this paragraph is: "There are no significant functional differences between the current version of the Punchout modules and the last version 8 of that module. (127:8-11; 222:22-223:8)." ePlus objects to Lawson's proposed sentence because the testimony on 127:8-11 pertains to the EDI module, not the Punchout module. Moreover, this paragraph of the deposition summary pertains to the EDI module, not the Punchout module. Additionally, Lawson's proposal is misleading because the question was directed to the "last version 8 version" of the EDI module meaning the final version within the version 8 series, (*i.e.*, the last version 8 version preceding version 9).

Mr. Christopherson authenticated a document titled “Requisitions User Guide Version 9.0.1.” (L 0061098-299). It is a user’s guide for the Requisitions module. It provides a good background as to how all of the different programs within the Requisitions module are used and how they work in conjunction with each other, and a lot of the options on the specific screens and how they work. It’s made available to customers on Lawson’s download site. (130:3-16; 132:3-19)

For most situations where a customer licenses the Supply Chain Management suite or the procurement modules of the Supply Chain Management suite, Lawson Professional Services will provide the actual installation and implementation services for that. (135:1-7)

If a vendor supplies a catalog or quote price agreement with the list of items and prices, that list of vendor items and prices get could get downloaded into the Item Master, depending on the customer. (141:20-142:5; 142:18-143:12) Lawson does not recommend a format for catalog or quote price agreement information provided by vendors to customers. How that information is provided by the vendor to the customer is determined by the customer and the vendor. (142:6-17)

Mr. Christopherson authenticated a document titled “Lawson Requisitions Self-Service User Guide Version 9.0.1.” (L 0045474-553). It provides a high level framework of what RSS is used for and how to basically use it. It is made available to customers who purchase the product. (146:9-21; 148:5-15)

RSS has a search catalog features that allows a user to search catalogs in the Item Master. Certain fields in the Item Master can be made searchable. The searchable fields depend on the customer’s set-up in the IC 0.0.5 screen using the “used” keyword setup. Example searchable fields are Lawson item number, UPC number, or description. (151:12-153:4)

The IC 11.1 program allows a user to assign UNSPSC (United Nations Standard Product and Service Codes) to items in the Item Master. The IC 11.1 program comes standard with the Inventory Control module as delivered. So does IC 0.0.0.5, the keyword search setup program, and IC 8.0.0, the keyword search load program. UNSPSC codes allow for category searching in RSS. Before RSS is able to perform category searching, each item in the Item Master must be associated with a UNSPSC code. Also, each UNSPSC code must be associated with a textual category description. (155:19-157:1; 158:6-159:4) Lawson will not typically import the UNSPSC codes for a client. (157:9-15)⁶

The Categories task in RSS allows a user to drill-down a category tree from a generic product category to a more specific category. Each category in the category tree has items from different vendors that are all cross-referenced to the same product category. (161:12-162:20)

The shopping cart in RSS could be construed as an order list and it is just like any other online shopping cart. The shopping cart can be dynamically built from the results of searches of the Item Master. The shopping cart also be dynamically built using results of searches using vendor

⁶ Lawson proposed that the last sentence in the paragraph be preceded by the following sentence: “There are no records in the database when Lawson delivers it. (157:2-8).” ePlus objects to this proposed sentence because it summarizes a non-responsive answer to a question.

punchout catalogs, as long as the user is only punching out to one catalog at a time. When a user checks out, the items in the cart become requisition lines, and the requisition moves to the next processing stage to create a requisition, and then onto an approval process. (163:20-164:17; 177:18-178:2) The approval process is not included within Requisitions Self-Service. It is included in Lawson's Process Flow product. (164:18-21)

The key difference between simple search and advanced search in RSS is that simple search searches all of the origin fields, whereas advanced search allow a user to select particular fields of the origin fields to search. Advanced search is like an exclude function. (165:9-22)

Webinars like the one titled "Lawson S3 Requisitions Self-Service Overview," (ePlus 621206-233) are placed on the Lawson.com website for the benefit of the prospective customer who is typically looking for a variety of products that are all integrated into the Enterprise-Resource-Planning space. (169:2-11)

RSS has the Requisitions module create a requisition. If the automatic approval system with Process Flow is set up, then after a requisition is created it goes to Process Flow to seek the approval to whomever it needs based on what was set up back in the Supply Chain Management system and sends that e-mail message out. After a requisition has passed through all levels of approval, it would then be released and would go over to the Purchase Order system. (178:16-179:10)

Mr. Christopherson authenticated a document titled "Lawson Procurement Punchout Administration Guide Version 9.0," bearing production number L 0046293-332. It is the administration guide that someone in an IT department would use to set up Lawson Procurement Punchout. (180:12-181:2)

When a user punches out to a vendor website, the system remains connected to RSS but the user is no longer in RSS.⁷ There are simply two web browsers opened up. If a Lawson system user clicks on, for example, Office Depot's icon within RSS, another browser window opens up that has Office Depot. The web browsers can communicate via cXML. Data from the Office Depot shopping cart will be returned back to the RSS server when the user checks out his or her shopping cart from the Office Depot site. (184:6-186:7) A requisition for the items is then created using the RSS application. *Id.* Then, a purchase order can be created from the requisition. (186:11-22)

You need to have a license to Lawson's EDI application in order to transmit a purchase order to a vendor. You can transmit a purchase order to a vendor using the XML format using Lawson EDI. (186:11-187:7)

⁷ Lawson proposed that part of this sentence be a separate sentence in the middle of the paragraph that reads: "The user is longer in Requisition Self-Service when punching out to the vendor website. (184:16-19)." ePlus objects to Lawson's proposal as misleading in that it attempts to separate the sentence from the stated fact that the user remains connected to RSS.

Secure connectivity is implemented between Lawson Requisition and the punchout website because, in general, the communication is going to be handled via HTTPS. Security credentials are being passed through that. Security credentials are also passed through the actual Punchout servlet. (187:8-22)

Lawson provides limited information about prebuilt connectors to Lawson's trading partners on its website. These connectors are for partners that a customer can connect to through Punchout. They are profiles. It is the information needed to connect, as per Lawson's tests. But it certainly is not all the information, because you also need the security credentials. That's between the customer and the vendor. The customer who licenses the Lawson Procurement Punchout application can download this information about the connectors to the Lawson trading partners from the Lawson support site. (188:1-189:3)⁸

When a user clicks the Punchout task on the Lawson RSS home page and then selects a vendor, a dynamic link, commonly via HTTP or HTTPS, is established between the customer and the vendor. The "dynamic link" is created depending on the setup profile information. It will have to go get that info. So it essentially creates a URL on the fly when the user clicks on a link. Information contained in the security credentials that are passed over the punchout site may include a customer ID number and password. The security credentials help the vendor identify the types of items that are available for that particular customer. (189:8-190:19)

A Lawson trading partner is somebody that Lawson has worked with. It is someone who Lawson has tested against using its Punchout application to make sure that Lawson software can connect to the partner's site using cXML standards, and the partner's site returns back the expected information. Lawson makes sure that before customers are given the ability to punchout to a particular partner's site, Lawson has tested the compatibility of its software with that partner's site. For instance, Lawson knows that its application works with Dell, such that information can be pulled back and forth. Lawson enters into partnership agreements with its trading partners. (194:10-195:16)

There are several ways to navigate on vendor-specific punchout sites. Depending on the site, a user can search by category, keyword, item number, or manufacturer. Some sites can be navigated by category drill-down. (201:19-201:6; 202:20-205:9) How a vendor website works behind the scenes is beyond Mr. Christopherson's knowledge. (202:9-19) How the vendor website works is internal to and controlled by the vendor. (205:10-207:17)

The current version of Punchout has the ability to punchout to multi-vendor catalogs, such as SciQuest. (212:20-213:2)

⁸ Lawson proposed to end this paragraph with the following sentence: "RSS does not come with connection information for each vendor held in the RSS configuration. (198:3-12)." ePlus objects to this sentence because it summarizes counter-designated testimony that bears no relation to the corresponding designated testimony. ePlus further objects to this sentence because without the phrase "As delivered," in the beginning of the sentence, it is misleading.

If a customer wants to connect to a vendor who is not one of Lawson's trading partners but they support the cXML standard, then they can use the Lawson's services organization to connect them. (213:10-213:20)

Each trading partner must pay annual fees and initial setup fees. The initial setup is currently \$2,000. (214:16-215:3)

Mr. Christopherson's team develops punchout connectivity. The vendor is also involved. It is not until Mr. Christopherson's team actually tries to connect to the vendor's site that they actually discover an incompatibility. Then Lawson and the vendor have to negotiate as to who is going to do the work to create compatibility. Vendors are given access to Lawson specifications as far as how Lawson treats cXML messages. (215:4-216:4)

Lawson System Foundation ("LSF") is a technology that sits below Lawson's applications. You have to license LSF to use Lawson's applications. There is a separate license fee for LSF. (225:20-226:10)

Mr. Christopherson authenticated a document titled "Lawson Procurement Punchout Trading Partner List" (L 0046359-363). It is a list of the people that have gone through Lawson's Punchout trading partner program. This type of documentation is available to customers through the support website. At the time of the deposition, this list was the most recent version. (227:15-228:9)

Lawson delivers generic punchout transaction sets in cXML Purchase Order formats with the Procurement Punchout product out of the box. Lawson will implement punchouts to connect its customers to the vendors for which Lawson provides connectors. (235:1-16)

Mr. Christopherson authenticated a document titled "Lawson Software Americas Inc. Procurement Punchout Partner Agreement." (LE 00230177-185). It is the legal agreement for the Procurement Punchout partners. It contains the standard terms and conditions to become a Lawson Procurement Punchout partner. Lawson executes an agreement similar to this one for every one of its new Punchout partners. Lawson grandfathered in some of its older partners. (235:21-236:3; 236:21-237:15)

Mr. Christopherson authenticated a document titled "Services Order Form" (LE 00230211-215). Lawson will perform a cXML Purchase Order setup for a trading partner in its test lab. To setup an EDI X.12 Purchase Order requires a network address and security credentials. A similar type setup is required to implement the Purchase Order acknowledgment, and any other EDI messages. The typical time it will take to perform the cXML Purchase Order setup is less than an hour. The typical time to test it out in a test lab is the remainder of a full day. The time to implement the EDI X.12 Purchase Order is similar. Lawson currently charges its partners a service fee rate of \$2,000. (240:3-240:21; 242:5-243:20) Lawson will not perform a cXML Purchase Order setup for both its customer as well as for the trading partner. (241:12-15)

Mr. Christopherson authenticated a document titled "Purchase Order User Guide Version 9.0.1." (L 0052019-296). Its purpose is to provide a high level overview of the Purchase Order process

inside of the Lawson system. This guide is made available to Lawson customers via the support website. (244:9-18)

Each vendor may have its own unique vendor number, and that vendor number is the key field inside of the database that would tell you vendors that a particular item is associated with. (248:2-17)

Vendor agreements are the prenegotiated prices and items that the Lawson customer has with particular vendors. The vendor agreement is in a type of file called a comma delimited file. It can be opened up in Excel such that a user can see all the different columns. There's usually a row header on top so the user can understand what each particular field represents. The file is read with a batch program that imports all of the pertinent information into the associated tables. Typically, before the customer runs the batch program to import the vendor agreement into the Lawson database, the customer will, using Excel, go through the file and make sure that it is what they want it to be. For example, does it actually have the correct prices that were negotiated in a contract or an agreement? A customer may also strike from the agreement file items that they are unlikely to buy so those items actually do not show up in the Item Master. The vendor agreement import batch program comes with the Purchase Order application as delivered. Each item record in a vendor file contains a vendor item number, a unit of measure, and a unit price. Customers can implement the vendor agreement import process to import vendor item data into the item master. (248:20-250:21)

The PO100 program is the Purchase Order interface. It is included in the Purchase Order application. (253:5-253:20) This is the interface where pending order requests are stored. The Purchase Order module searches the purchase order interface for order requests and creates purchase orders automatically from the order requests. *Id.*

A supplier can transmit its catalog via the Lawson EDI product to a Lawson user who can then download it into the Item Master. (258:11-22)

Lawson's EDI supports common transaction types such as Purchase Order (850), PO Acknowledgment (855), Advance Ship Notice (856), Invoice (810), and Price/Catalog (832). (259:7-14)

The Price/Sales Catalog (832) transaction in Lawson EDI is an incoming transaction to the Lawson customer's system. The Purchase Order transaction is an outgoing transaction set from the Lawson customer's application to the vendor. (260:3-20)

Mr. Christopherson authenticated a document titled "Lawson EDI for Supply Chain Management Trading Partner List Version 9.0.1." (L 0046221-292). The document identifies who the different partners are in the EDI program. At the time of the deposition, this was the most current version of the document. The trading partner list is available to customers at Lawson's support website. (264:2-20)

Mr. Christopherson authenticated a document titled “Release 9.0.1, Purchase Order File Layouts.” (L 0043347 – a native Excel file). The document identifies for different files what the record layout would be. The record layout is the fields that may be on a particular record file. The file layouts in the document are available to Lawson customers via the Lawson support website. (267:13-268:10; 268:21-269:2)

PO536 is the “Vendor Price Agreement” file format. It is used for taking in the information from the vendors and loading it into the Item Master. The information includes the items and the agreed-upon price. It contains the names for the fields found in the Item Master. It defines the various positions in the CSV file at which you should have particular attributes of the item data defined. Not all of the fields can be made searchable. Some of them can be, such as the item, the UPC, the generic—which is a generic name—the class, the commodity, the user fields, manufacturer number, UPN number, UPN 2, vendor item number, IC segment, and family. (270:5-7; 270:18-272:2; 272:20-274:4).

The “Vendor Item Input File” is used to input items into the vendor item. (274:9-17)

Mr. Christopherson authenticated a document titled “Inventory Control User Guide Version 9.0.1” (L 0032249-549). It give a high level overview of the program and its use inside of the Inventory Control module. This guide is also made available to Lawson customers via the support website. (277:1-18; 278:5-7)

Lawson wanted to integrate with the GHX and Neoforma catalogs because healthcare is a particular vertical that Lawson tries to sell to, and it’s very successful in that. GHX and Neoforma are particular partners that work in the healthcare industry. Lawson currently has partnership agreements with GHX. Customers use the vendor catalog import program, PO536, in order to import the vendor catalogs from GHX’s All Source catalog—which is a consolidation of multiple vendor items—into their Item Master. (295:6-296:11; 297:2-20)

Respectfully submitted,

/s/

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Dated: August 11, 2010

Christopherson, Dale - Vol. 1 10/19/2009 9:31:00 AM

1	IN THE UNITED STATES DISTRICT COURT	1	A P P E A R A N C E S	3
2	FOR THE EASTERN DISTRICT OF VIRGINIA	2	ON BEHALF OF PLAINTIFF:	
3	Richmond Division	3	JENNIFER A. ALBERT, ESQUIRE	
4	-----x	4	Goodwin Procter LLP	
5	ePLUS iNC.,)	5	901 New York Avenue, Northwest	
6	Plaintiff,) Civil Action No.	6	Washington, D.C. 20001	
7	v.) 3:09-CV-620 (JRS)	7	Telephone: (202) 346-4000	
8	LAWSON SOFTWARE, INC.,)	8		
9	Defendant.)	9		
10	-----x	10		
11	CONFIDENTIAL	11	ON BEHALF OF DEFENDANT:	
12	30(b)(6) Videotaped Deposition of	12	WILLIAM D. SCHULTZ, ESQUIRE	
13	Lawson Software, Inc.	13	Merchant & Gould PC	
14	by and through its corporate designee	14	3200 IDS Center	
15	DALE A. CHRISTOPHERSON	15	80 South Eighth Street	
16	Washington, D.C.	16	Minneapolis, Minnesota 55402	
17	Monday, October 19, 2009	17	Telephone: (612) 332-5300	
18	9:31 a.m.	18		
19		19		
20	Job No.: 1-165450	20		
21	Pages: 1 - 316, Volume 1	21	ALSO PRESENT:	
22	Reported By: Lee Bursten	22	ANTONIO TROPEANO, Videographer	
1	30(b)(6) Videotaped Deposition of Lawson	1	C O N T E N T S	4
2	Software, Inc. by and through its corporate	2	EXAMINATION OF DALE A. CHRISTOPHERSON	PAGE
3	designee DALE A. CHRISTOPHERSON, held at the	3	By Ms. Albert	10
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6	901 New York Avenue, NW	6	E X H I B I T S	
7	Washington, D.C. 20001	7	(Attached to transcript.)	
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12	Pursuant to notice, before Lee Bursten,	12	Lawson Software, Inc.,	
13	Court Reporter and Notary Public in and for the	13	Pursuant to Rule	
14	District of Columbia, who officiated in	14	30(b)(6)	
15	administering the oath to the witness.	15	Exhibit 2 Plaintiff ePlus inc.'s	15
16		16	Second Notice of	
17		17	Deposition of Defendant	
18		18	Lawson Software, Inc.	
19		19	Pursuant to Rule	
20		20	30(b)(6)	
21		21	Exhibit 3 United States Patent	91
22		22	Number 6,023,683	

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<p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: Here begins videotape</p> <p>3 number 1 in the deposition of Dale A. Christopherson</p> <p>4 in the matter of ePlus inc. versus Lawson Software,</p> <p>5 Inc., in the United States District Court for the</p> <p>6 Eastern District of Virginia, Richmond Division,</p> <p>7 Civil Action Number 3:09-CV-620 (JRS).</p> <p>8 Today's date is October 19th, 2009. The</p> <p>9 time on the video monitor is 9:31 a.m. The video</p> <p>10 operator today is Antonio Tropeano of Merrill LAD.</p> <p>11 This video deposition is taking place at Goodwin</p> <p>12 Procter, 901 New York Avenue, Northwest, Washington,</p> <p>13 D.C.</p> <p>14 Counsel, please voice identify yourselves</p> <p>15 and state whom you represent.</p> <p>16 MS. ALBERT: Jennifer Albert with the firm</p> <p>17 of Goodwin Procter, representing the plaintiff ePlus</p> <p>18 inc.</p> <p>19 MR. SCHULTZ: William Schultz of Merchant</p> <p>20 & Gould, representing Lawson Software, Incorporated.</p> <p>21 THE VIDEOGRAPHER: The court reporter</p> <p>22 today is Lee Bursten of Merrill LAD. Would the</p>	<p>11</p> <p>1 let me know and I will try to clarify it. Will you</p> <p>2 do that?</p> <p>3 A I will.</p> <p>4 Q If you need to take a break at any time,</p> <p>5 please let me know.</p> <p>6 A Mm-hmm.</p> <p>7 Q Are you taking any medication or drugs</p> <p>8 which would affect your ability to answer questions</p> <p>9 truthfully and accurately?</p> <p>10 A No.</p> <p>11 Q Is there any reason that you feel that you</p> <p>12 would not be able to give truthful and accurate</p> <p>13 answers to my questions today?</p> <p>14 A No.</p> <p>15 Q Your counsel may object from time to time.</p> <p>16 But unless your counsel specifically instructs you</p> <p>17 not to answer one of my questions, I expect you to</p> <p>18 answer my questions. Do you understand?</p> <p>19 A Mm-hmm.</p> <p>20 Q Are you being represented by counsel</p> <p>21 today?</p> <p>22 A This counsel here.</p>
<p>10</p> <p>1 reporter please swear in the witness.</p> <p>2 DALE A. CHRISTOPHERSON</p> <p>3 having been duly sworn, testified as follows:</p> <p>4 EXAMINATION BY COUNSEL FOR PLAINTIFF</p> <p>5 BY MS. ALBERT:</p> <p>6 Q Good morning, Mr. Christopherson.</p> <p>7 A Good morning.</p> <p>8 Q Can you please provide your full name,</p> <p>9 residence address, and business address for the</p> <p>10 record.</p> <p>11 A Sure. Dale Arnold Christopherson. I live</p> <p>12 at 901 140th Lane Northwest, Andover, Minnesota. And</p> <p>13 I am currently employed by Lawson Software, 380 Saint</p> <p>14 Peter Street, Saint Paul, Minnesota.</p> <p>15 Q My name is Jennifer Albert, and I</p> <p>16 represent the plaintiff, ePlus incorporated, in this</p> <p>17 matter. Mr. Christopherson, do you understand that</p> <p>18 your answers today are being given under oath, and</p> <p>19 that you are under the same obligation as if in court</p> <p>20 to answer truthfully and completely?</p> <p>21 A Yes.</p> <p>22 Q If one of my questions is unclear, please</p>	<p>12</p> <p>1 Q Mr. Schultz is representing you today?</p> <p>2 A Mm-hmm. Correct.</p> <p>3 Q The court reporter needs to take down</p> <p>4 everything that you say today. He can't take down</p> <p>5 non-verbal responses or shakes of the head. So you</p> <p>6 need to verbally respond to each of my questions. Do</p> <p>7 you understand?</p> <p>8 A Yes.</p> <p>9 Q Have you ever been deposed before?</p> <p>10 A No.</p> <p>11 Q Have you ever testified at a trial?</p> <p>12 A No.</p> <p>13 Q Have you ever testified in any type of</p> <p>14 proceeding?</p> <p>15 A No.</p> <p>16 Q Have you ever provided testimony in the</p> <p>17 form of a declaration or affidavit?</p> <p>18 A I believe I have. Affidavits for perhaps</p> <p>19 divorce court, things of that nature, family matters.</p> <p>20 Q Have you ever provided testimony in the</p> <p>21 form of a declaration or affidavit with respect to</p> <p>22 any case where you were representing Lawson?</p>

<p>13</p> <p>1 A No.</p> <p>2 Q Other than this matter; is that correct?</p> <p>3 A Correct. Correct, yes.</p> <p>4 MS. ALBERT: The court reporter has marked</p> <p>5 as Christopherson Exhibit Number 1 a copy of the</p> <p>6 Plaintiff ePlus inc.'s First Notice of Deposition of</p> <p>7 Defendant Lawson Software, Inc., Pursuant to Rule</p> <p>8 30(b)(6) of the Federal Rules of Civil Procedure.</p> <p>9 (Christopherson Exhibit 1 was marked for</p> <p>10 identification and attached to the deposition</p> <p>11 transcript.)</p> <p>12 BY MS. ALBERT:</p> <p>13 Q Mr. Christopherson, have you ever seen</p> <p>14 this corporate deposition notice before?</p> <p>15 A Yes, I have.</p> <p>16 Q When did you first see it?</p> <p>17 A It was last week sometime. I want to say</p> <p>18 Wednesday or Thursday.</p> <p>19 Q Can you turn to page 10 of the deposition</p> <p>20 notice.</p> <p>21 A Okay.</p> <p>22 Q And do you understand that pages 10</p>	<p>15</p> <p>1 Q Turn to topic number 12 on page 12.</p> <p>2 A Mm-hmm.</p> <p>3 Q And this topic requests Lawson's testimony</p> <p>4 concerning "Lawson's search for documents and things</p> <p>5 in response to ePlus's document requests, including</p> <p>6 the files and documents searched (including but not</p> <p>7 limited to the files and documents of past and</p> <p>8 present employees of Lawson), methods, procedures,</p> <p>9 search requests, and/or document retention policies</p> <p>10 used by Lawson to comply with ePlus's document</p> <p>11 request."</p> <p>12 Do you understand that Lawson has</p> <p>13 designated you to testify on its behalf regarding</p> <p>14 this topic?</p> <p>15 A Yes.</p> <p>16 Q Are you prepared to testify today as to</p> <p>17 all matters known and reasonably available to Lawson</p> <p>18 regarding topic number 12?</p> <p>19 A To the best of my ability, yes.</p> <p>20 (Christopherson Exhibit 2 was marked for</p> <p>21 identification and attached to the deposition</p> <p>22 transcript.)</p>
<p>14</p> <p>1 through 12 of the notice set forth the topics for</p> <p>2 which ePlus has requested that Lawson provide a</p> <p>3 witness to testify on its behalf?</p> <p>4 A Correct. I've seen it, yes.</p> <p>5 Q Do you understand that Lawson has</p> <p>6 designated you to testify on its behalf with respect</p> <p>7 to topic number 4 in this notice?</p> <p>8 A I believe they have on number 4, mm-hmm.</p> <p>9 Q Are you prepared to testify as to all</p> <p>10 matters known or reasonably available to Lawson</p> <p>11 regarding topic number 4?</p> <p>12 A To the best of my ability, yes.</p> <p>13 Q Turn to topic number 9 on page 11. Do you</p> <p>14 understand that Lawson has designated you to testify</p> <p>15 on its behalf regarding Lawson's corporate structure</p> <p>16 and all entities related to Lawson including any</p> <p>17 parent or subsidiary?</p> <p>18 A I'm aware of that, yes.</p> <p>19 Q Are you prepared to testify today as to</p> <p>20 all matters known or reasonably available to Lawson</p> <p>21 regarding that topic?</p> <p>22 A To the best of my ability, yes.</p>	<p>16</p> <p>1 MS. ALBERT: The court reporter has marked</p> <p>2 as Christopherson Exhibit 2 a copy of Plaintiff ePlus</p> <p>3 inc.'s Second Notice of Deposition of Defendant</p> <p>4 Lawson Software, Inc. Pursuant to Rule 30(b)(6) of</p> <p>5 the Federal Rules of Civil Procedure.</p> <p>6 BY MS. ALBERT:</p> <p>7 Q Let me ask the reporter to hand that to</p> <p>8 you.</p> <p>9 A Thank you.</p> <p>10 Q Have you seen the deposition notice that's</p> <p>11 been marked as Christopherson Exhibit 2 prior to</p> <p>12 today?</p> <p>13 A Yes.</p> <p>14 Q When did you first see that?</p> <p>15 A It would have been last week, probably</p> <p>16 about the same time I saw the other one.</p> <p>17 Q Can you turn to the topics that are listed</p> <p>18 at pages 9 through 14 of the notice.</p> <p>19 A Okay.</p> <p>20 Q Do you understand that Lawson has</p> <p>21 designated you to testify on its behalf concerning</p> <p>22 topics 1 through 6 in this notice?</p>

<p>17</p> <p>1 A Yes.</p> <p>2 Q Are you prepared to testify today</p> <p>3 concerning topics 1 through 6?</p> <p>4 A To the best of my ability, yes.</p> <p>5 Q Do you also understand that Lawson has</p> <p>6 designated you to testify on its behalf concerning</p> <p>7 topics 8 through 16?</p> <p>8 A Yes. Mm-hmm.</p> <p>9 Q Are you prepared to testify as to all</p> <p>10 matters known or reasonably available to Lawson</p> <p>11 concerning topics 8 through 16 in the notice?</p> <p>12 A Yes, to the best of my ability. Yes.</p> <p>13 Q Do you understand that Lawson has also</p> <p>14 designated you to testify on its behalf concerning</p> <p>15 topics 19 through 25 in the notice?</p> <p>16 A Yes, I believe, except with the exception</p> <p>17 of maybe the M3 part on number 22.</p> <p>18 Q And are you prepared to testify as to all</p> <p>19 matters known or reasonably available to Lawson</p> <p>20 regarding each of those topics with the exception of</p> <p>21 the M3 topic on topic number 22?</p> <p>22 A Yes, to the best of my ability.</p>	<p>19</p> <p>1 the second one, a lot of that has to do with what my</p> <p>2 day-in, day-out job is.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q With respect to your work in connection</p> <p>5 with the interrogatories, you indicated that you were</p> <p>6 reviewing those. Have you been involved in</p> <p>7 collection of any of the information in order to</p> <p>8 prepare the answers to those interrogatories?</p> <p>9 A If you're asking about, you know, was</p> <p>10 information collected off of my PCs, my e-mails, that</p> <p>11 stuff, did I provide that over to ITS, yes.</p> <p>12 Q What materials from your files were used</p> <p>13 in order to prepare answers to interrogatories?</p> <p>14 A I would have to look at all the</p> <p>15 interrogatories and go through them. I couldn't</p> <p>16 specifically say this was used for -- was or was not</p> <p>17 used for it.</p> <p>18 Q Do you remember the types of materials</p> <p>19 that were collected in order to assist in the</p> <p>20 preparation of the answers to the interrogatories?</p> <p>21 A I know one of the interrogatories had to</p> <p>22 do with prior art. So there was -- one of the</p>
<p>18</p> <p>1 Q What did you do in order to prepare to</p> <p>2 testify today?</p> <p>3 MR. SCHULTZ: Before we go on here, just</p> <p>4 to clarify for the record that Mr. Christopherson is</p> <p>5 one of the designees on the topics that have been</p> <p>6 designated here, that there are other people that are</p> <p>7 designated for some of these topics.</p> <p>8 MS. ALBERT: I think I had a question</p> <p>9 pending.</p> <p>10 (Requested portion of record read.)</p> <p>11 THE WITNESS: I've reviewed -- there's</p> <p>12 been a lot of interrogatories between the companies.</p> <p>13 I've been reviewing those and signing those that</p> <p>14 required a signature from Lawson. And that's been</p> <p>15 going on for approximately the past month, if I</p> <p>16 recall. I could be off somewhat on that date, but</p> <p>17 clearly within the last two months that's been</p> <p>18 occurring.</p> <p>19 Then obviously meeting with counsel over</p> <p>20 the past few months since we were notified of the</p> <p>21 lawsuit back in May. Otherwise a lot -- some of</p> <p>22 what -- the architecture and stuff, particularly on</p>	<p>20</p> <p>1 interrogatories does mention some of Lawson in there.</p> <p>2 And we had to go back, obviously prior to '93 or</p> <p>3 prior, to get some of the source code. We restored</p> <p>4 that from old archive tapes onto my system so we</p> <p>5 could get that information.</p> <p>6 Q Do you recall anything else besides</p> <p>7 collecting the old archived source code that you</p> <p>8 collected from your files in order to assist in the</p> <p>9 preparation of the answers to interrogatories?</p> <p>10 A No. I don't at this time.</p> <p>11 Q You indicated that you've been meeting on</p> <p>12 and off with counsel over the past few months in</p> <p>13 connection with the litigation. Can you provide me</p> <p>14 an estimate for the number of meetings that you've</p> <p>15 had with counsel over the past few months?</p> <p>16 A Counting today, since we're meeting, if</p> <p>17 you would, probably in the neighborhood of five to</p> <p>18 seven days. Those aren't necessarily full days.</p> <p>19 Q When was your first meeting with counsel?</p> <p>20 A It would have been internal. Lawson's</p> <p>21 legal department. It would have been back in May of</p> <p>22 this year, on this particular -- on the ePlus claims.</p>

<p>21</p> <p>1 Clearly I've met counsel many times at Lawson prior</p> <p>2 to that.</p> <p>3 Q Who was present at the meeting in May?</p> <p>4 A It would have been Mike Cohen.</p> <p>5 Q Who is Mike Cohen?</p> <p>6 A He works on our -- he's one of the</p> <p>7 attorneys that works on our legal department.</p> <p>8 Q Does he have a formal title?</p> <p>9 A He probably does. I probably don't know</p> <p>10 what it actually is. It's probably general counsel,</p> <p>11 you know.</p> <p>12 Q Was anyone else besides Mr. Cohen present</p> <p>13 at the meeting?</p> <p>14 A I do not believe there was.</p> <p>15 Q How long did the meeting last?</p> <p>16 A It would have been short, meaning 30</p> <p>17 minutes, if even.</p> <p>18 Q Do you recall when your next meeting with</p> <p>19 counsel occurred?</p> <p>20 A It would have been sometime in June.</p> <p>21 Q And who was present at that meeting?</p> <p>22 A That meeting was with Mike, again.</p>	<p>23</p> <p>1 very little part of it.</p> <p>2 Q What's Mr. Dooner's position?</p> <p>3 A Todd Dooner, he works for me as a senior</p> <p>4 software developer.</p> <p>5 Q Does he have responsibilities for any</p> <p>6 particular product or application?</p> <p>7 A Yes. He has worked in the Requisition</p> <p>8 product space at Lawson. So he's got Requisitions</p> <p>9 Self-Service, is the one he currently works on.</p> <p>10 Q And what's Mr. Johnson's position?</p> <p>11 A He's been a software engineer. I believe</p> <p>12 currently his title might be principal architect,</p> <p>13 primarily in our technology area.</p> <p>14 Q Does he have responsibilities with respect</p> <p>15 to any particular software module or application?</p> <p>16 A Not within -- no, uh-uh. General, how it</p> <p>17 all comes together.</p> <p>18 Q Does he have responsibilities that are</p> <p>19 directed to any particular product line, such as S3</p> <p>20 or M3?</p> <p>21 A S3.</p> <p>22 Q When was your first meeting with attorneys</p>
<p>22</p> <p>1 Jordan, forgive me, I've forgotten the last name, who</p> <p>2 attended from our internal legal. Kathy Madsen, also</p> <p>3 general counsel from Lawson, I believe may have been</p> <p>4 at that one. I remember her being at a meeting, I</p> <p>5 can picture her being at a meeting, where she sat.</p> <p>6 But whether or not she was at that specific one in</p> <p>7 June, I do not recall.</p> <p>8 And we had outside counsel also.</p> <p>9 Q Who was present from outside counsel?</p> <p>10 A I do not recall all the names that were</p> <p>11 there.</p> <p>12 Q Was anyone from the Merchant & Gould law</p> <p>13 firm there?</p> <p>14 A Not at that time, no. And then</p> <p>15 additionally there was people representing -- from</p> <p>16 product development team, some of the team members</p> <p>17 that I have were present in those meetings.</p> <p>18 Q Who else from product development was</p> <p>19 present at that meeting?</p> <p>20 A Todd Dooner was there at that time; Leon</p> <p>21 Johnson; and that very well may have been it. It may</p> <p>22 have been one or two. If they were, they were in for</p>	<p>24</p> <p>1 from Merchant & Gould?</p> <p>2 A The first time I met them, it was either</p> <p>3 in the middle of July or early August. It was on one</p> <p>4 side or the other of my vacation.</p> <p>5 Q And who was present at that meeting?</p> <p>6 A That's the -- I don't recall everyone that</p> <p>7 was there. I believe there were three people. Two</p> <p>8 or three people were there. And let's see,</p> <p>9 Mr. McDonald was there, and I think that was it, at</p> <p>10 the time. With the others, I don't recall what their</p> <p>11 names were, other business -- business cards I</p> <p>12 remember from that time. I haven't seen them since</p> <p>13 then, so...</p> <p>14 Q Attorneys from another law firm were</p> <p>15 present?</p> <p>16 A No, no, uh-uh. All from Merchant & Gould.</p> <p>17 Q Have you reviewed any documents to prepare</p> <p>18 for your deposition today?</p> <p>19 A Yes, I've reviewed a few. Org chart.</p> <p>20 Some of them hit some of these points that we talked</p> <p>21 about earlier, such as the legal entities of Lawson</p> <p>22 or the structure of that. Looked back over some of</p>

<p>25</p> <p>1 the interrogatories.</p> <p>2 Q Did you contact any other Lawson personnel</p> <p>3 in order to do any investigations to prepare yourself</p> <p>4 on any of the topics?</p> <p>5 A No. Uh-uh. Then again, this is in my</p> <p>6 space. This is where I work. So I'm in constant</p> <p>7 conversation with people about what we're doing with</p> <p>8 these products.</p> <p>9 Q Other than the organizational chart and</p> <p>10 reviewing information about the legal entities of</p> <p>11 Lawson, did you review any other documents in order</p> <p>12 to prepare to testify today?</p> <p>13 A I can't think of any other documents I've</p> <p>14 reviewed. Thinking back, there was, on the</p> <p>15 previous -- talking to one person, there was a person</p> <p>16 on the Punchout side. I wanted to get some more</p> <p>17 information about the history of that. That</p> <p>18 developer does work at Lawson, so I did have a</p> <p>19 discussion with him.</p> <p>20 Q Who was that person?</p> <p>21 A That was Mr. O'Connell, Ed O'Connell.</p> <p>22 Q What's Mr. O'Connell's position?</p>	<p>27</p> <p>1 Mount Wachusett Community College, then I went on and</p> <p>2 got a bachelor's degree in management information</p> <p>3 systems from what was called Strayer College, now</p> <p>4 called Strayer University, just down the road from</p> <p>5 here.</p> <p>6 Q In what year did you receive your bachelor</p> <p>7 degree?</p> <p>8 A It was in '90 or '91.</p> <p>9 Q Have you done any postgraduate studies?</p> <p>10 A No.</p> <p>11 Q Are you an inventor on any patents?</p> <p>12 A No.</p> <p>13 Q Have you ever authored any technical</p> <p>14 publications?</p> <p>15 A Give me an example of what you would</p> <p>16 consider a technical publication, I guess.</p> <p>17 Q Have you ever written a scientific article</p> <p>18 for publication in a journal?</p> <p>19 A No.</p> <p>20 Q What was your first employment position</p> <p>21 after you completed your bachelor's degree?</p> <p>22 A When I was doing my bachelor's degree I</p>
<p>26</p> <p>1 A He's also a software engineer.</p> <p>2 Q Do you know what his current</p> <p>3 responsibilities are?</p> <p>4 A No, I do not.</p> <p>5 Q Is he in any particular section or</p> <p>6 division?</p> <p>7 A He's on the S3 side. He's working</p> <p>8 primarily in some of our newer generation</p> <p>9 technologies. But what he's doing in there, that's</p> <p>10 nothing that I'm working on currently. So we didn't</p> <p>11 talk about that at all.</p> <p>12 Q And you indicated that you had talked to</p> <p>13 him about the history of Punchout. Was he</p> <p>14 responsible for the development of the Punchout</p> <p>15 module?</p> <p>16 A In the very early stages he was.</p> <p>17 Q Who has responsibility for the Punchout</p> <p>18 module currently?</p> <p>19 A That is Dwight Delancy, who works for me.</p> <p>20 Q Can you describe for me your educational</p> <p>21 background starting after high school?</p> <p>22 A Sure. I got an associates degree from</p>	<p>28</p> <p>1 was actually going to school at night, so I was</p> <p>2 currently employed at that time at Titan Corporation,</p> <p>3 T-I-T-A-N.</p> <p>4 Q What was your position there?</p> <p>5 A I started off as a software engineer, and</p> <p>6 when I left them in '97 I was director of the</p> <p>7 technology center.</p> <p>8 Q What was your next employment position</p> <p>9 after you left Titan Corporation?</p> <p>10 A It was with Lawson Software.</p> <p>11 Q And so that would have been in 1997?</p> <p>12 A Yes.</p> <p>13 Q And what was the position that you started</p> <p>14 in at Lawson?</p> <p>15 A I probably won't have the exact title</p> <p>16 correctly, but it was something along the lines of</p> <p>17 senior manager of systems integration.</p> <p>18 Q And what systems did you have</p> <p>19 responsibilities for?</p> <p>20 A At that time it was what later became</p> <p>21 known as the S3 product line on the UNIX and NT</p> <p>22 platforms, so not the -- what was called at that time</p>

<p>29</p> <p>1 AS 400, now called the System I or I Series.</p> <p>2 Q So you were responsible for implementing</p> <p>3 the S3 product line on Unix and NT platforms?</p> <p>4 A I wouldn't use the word "implement." I</p> <p>5 was responsible for the integration. And what</p> <p>6 integration is, just -- because that can be an</p> <p>7 overloaded term, that's the team that would take the</p> <p>8 source code from the development teams, and after</p> <p>9 it's been checked off by QA, ensure that it actually</p> <p>10 could be built. And we had traceability of that, so</p> <p>11 we knew what was actually being sent to the</p> <p>12 customers. We created what was called at that time</p> <p>13 the master CDs or the gold CDs.</p> <p>14 Q What was the S3 product line known as at</p> <p>15 that time?</p> <p>16 A Lawson Insight was the brand name that we</p> <p>17 used at that time for the current products, which was</p> <p>18 the 7.X release. It was -- 7.03 was the first one</p> <p>19 that came out when I was there. Now, we were still</p> <p>20 maintaining and releasing products in the 6.0 and 6.1</p> <p>21 at the same time. Those hadn't been decommissioned</p> <p>22 or retired yet.</p>	<p>31</p> <p>1 think it's-- that's what I seem to recall us always</p> <p>2 talking about it.</p> <p>3 Q So how long were you in that position</p> <p>4 where you had responsibilities for e-Recruiting and</p> <p>5 e-Procurement hub?</p> <p>6 A That was just on the operational side of</p> <p>7 trying to get those up and running. Then in August</p> <p>8 of that year, two thousand and-- actually I said 2000</p> <p>9 before, didn't I? That would have been 2001, my</p> <p>10 mistake. In 2001, obviously, in September of 2001</p> <p>11 there was some big event, that's why I can recall</p> <p>12 that. In August 2001 we had some issues with the</p> <p>13 development team, which was located down in Oklahoma</p> <p>14 City, so I was asked to become the director of</p> <p>15 development and focus my energies on e-Recruiting.</p> <p>16 I moved away from the e-Hub part, and</p> <p>17 mostly because it wasn't doing anything, there was</p> <p>18 nothing going on there, there was nothing to move</p> <p>19 away from, and focused all my energies then on not</p> <p>20 only the operational aspects, but also the support</p> <p>21 and the development of our e-Recruiting software.</p> <p>22 Q And how long were you in the position as</p>
<p>30</p> <p>1 Q How long were you in the position as</p> <p>2 senior manager of systems integration?</p> <p>3 A At some point I was promoted to director.</p> <p>4 So I had integration, had certification or QA team,</p> <p>5 and also the research and development's IT teams</p> <p>6 responsible for all the computer systems that worked</p> <p>7 for the research and development team -- I don't</p> <p>8 recall exactly when that was, if that was '98 or</p> <p>9 '99 -- and stayed in that role with integration until</p> <p>10 the year 2000.</p> <p>11 Q What position did you assume in 2000?</p> <p>12 A 2000, then I started working for some</p> <p>13 specific products that we were starting to host. One</p> <p>14 of those products were e-Recruiting software at that</p> <p>15 time, and I think we actually called it e-Recruiting</p> <p>16 at that time. I'm making sure the names were</p> <p>17 correct. And the other one was a -- e-Procurement</p> <p>18 hub that we were looking to go operational with but</p> <p>19 never did make it to an operational stage.</p> <p>20 Q What was the name of that e-Procurement</p> <p>21 hub?</p> <p>22 A I think it was actually called e-Hub. I</p>	<p>32</p> <p>1 director of development for the e-Recruiting</p> <p>2 application?</p> <p>3 A Until November 2002.</p> <p>4 Q What position did you assume in November</p> <p>5 of 2002?</p> <p>6 A I was director of development at that</p> <p>7 point.</p> <p>8 Q Director of -- you were director of</p> <p>9 development, was that for any particular product</p> <p>10 line?</p> <p>11 A It was at that particular time, or maybe</p> <p>12 it was actually a little bit later, we started</p> <p>13 calling that product Lawson Retail Operations.</p> <p>14 Q What functionality did the Lawson Retail</p> <p>15 Operations product have?</p> <p>16 A It was primarily designed to provide the</p> <p>17 operational aspects that -- we would say hard line</p> <p>18 goods, but all of our customers were grocery stores</p> <p>19 at that point.</p> <p>20 Q So what types of operations were performed</p> <p>21 by the software?</p> <p>22 A Distribution centers. The warehouse</p>

<p>33</p> <p>1 distribution center could be obviously a large</p> <p>2 center, or it may just be the back room in a grocery</p> <p>3 store. It would get into the space management on the</p> <p>4 shelves, the pricing strategies of those particular</p> <p>5 products. It provided what we called a single</p> <p>6 version of truth, which was all the information about</p> <p>7 the particular items, and then how those could be</p> <p>8 transported between different points.</p> <p>9 Then also it would handle the -- the</p> <p>10 computer system would handle the ordering of the</p> <p>11 goods.</p> <p>12 Q How long were you in that position?</p> <p>13 A I was in that position and -- I've always</p> <p>14 had retail operation since 2002, but I added</p> <p>15 different things at different times in my role. So</p> <p>16 in November 2004, then I came back to the U.S., and</p> <p>17 then added additional products at that point which</p> <p>18 were self-evident applications, which Requisitions</p> <p>19 Self-Service was one of those, and Punchout was</p> <p>20 another one, and then Employee Manager Self-Service</p> <p>21 Center HR side, along with additional self-service</p> <p>22 applications.</p>	<p>35</p> <p>1 Control. There's also called Vendor, Customer, those</p> <p>2 are self-service centers. And there's probably a few</p> <p>3 others in there that I'm probably forgetting within</p> <p>4 the entire -- within the entire suite. So I've got</p> <p>5 three suites of products, one being Supply Chain, one</p> <p>6 being Financials, one being HR.</p> <p>7 Q Do you have any responsibilities with</p> <p>8 respect to EDI module?</p> <p>9 A Yes.</p> <p>10 Q And did you assume those responsibilities</p> <p>11 in December of 2008?</p> <p>12 A Yes.</p> <p>13 Q And what about the Vendor Self-Service</p> <p>14 module?</p> <p>15 A Yes. I had just mentioned that</p> <p>16 previously. Vendor and Customer. Whenever I mention</p> <p>17 self-service -- the self-evident applications are</p> <p>18 SEA, S-E-A, those are part of those.</p> <p>19 Q By which Lawson entity are you employed?</p> <p>20 A The Lawson Software Americas, I believe it</p> <p>21 is. I can look at the picture and I know where it's</p> <p>22 at on the picture.</p>
<p>34</p> <p>1 Q Since November of 2004, have you added any</p> <p>2 responsibilities for any additional products besides</p> <p>3 the Requisitions Self-Service and Punchout?</p> <p>4 A Yes. In December of 2008, then all of the</p> <p>5 Supply Chain products that were built off of our 4GL,</p> <p>6 what we call Lawson Fourth Generation Language</p> <p>7 products, those all came up under me, along with all</p> <p>8 the financial products built with the same</p> <p>9 architecture, and HR products, and then all</p> <p>10 self-service applications. Now I've recently added</p> <p>11 our service automation also, will come to me. We're</p> <p>12 in the middle of transition now.</p> <p>13 Q So is your current title director of</p> <p>14 development?</p> <p>15 A Still, yes.</p> <p>16 Q And what are all of the Supply Chain</p> <p>17 products for which you have development</p> <p>18 responsibilities?</p> <p>19 A Today Requisitions Self-Service, Punchout,</p> <p>20 and if I ever say system -- what we have system calls</p> <p>21 are just two letter digits like PO, that's Purchase</p> <p>22 Order, that is mine. RQ, Requisition. IC, Inventory</p>	<p>36</p> <p>1 Q Is Lawson Software Americas a wholly owned</p> <p>2 subsidiary of Lawson Software, Inc.?</p> <p>3 A Yes.</p> <p>4 Q And do you know, does that entity have any</p> <p>5 particular responsibilities, Lawson Software</p> <p>6 Americas?</p> <p>7 A I'm not sure -- does it have any</p> <p>8 particular responsibilities? What is the question?</p> <p>9 Q Is it purely a U.S. distribution arm, or</p> <p>10 does it have other types of functional</p> <p>11 responsibilities?</p> <p>12 A It -- clearly most of the people in the</p> <p>13 U.S. sit in that particular one. So we've got</p> <p>14 support, we've got some sales, we've got services.</p> <p>15 The particular group I'm in, product development,</p> <p>16 sits in there. But not all of product development</p> <p>17 sits in there. Obviously the M3 product is over in</p> <p>18 the Swedish legal entities.</p> <p>19 Q To whom do you report in your position as</p> <p>20 director of development?</p> <p>21 A John Mulcrone.</p> <p>22 Q What is his position?</p>

<p>37</p> <p>1 A He's VP of product development.</p> <p>2 Q Who reports to you?</p> <p>3 A Who reports to me? Directly,</p> <p>4 approximately 40 people.</p> <p>5 Q What are their functional</p> <p>6 responsibilities?</p> <p>7 A I've got business analysts, I have</p> <p>8 software engineers, I have QA. And I have</p> <p>9 documentation or technical writers. Technical</p> <p>10 writer, actually. And then indirectly, there's</p> <p>11 another 60-plus people in Manila that report up</p> <p>12 through me. Same skills.</p> <p>13 Q What are the responsibilities of business</p> <p>14 analysts?</p> <p>15 A Business analysts essentially are the</p> <p>16 subject matter experts. That's what we look to them</p> <p>17 to be. They're the ones that take the business</p> <p>18 requirements and translate it into technical</p> <p>19 requirements. They work for -- they're the</p> <p>20 translator, if you would, between a customer or set</p> <p>21 of customers, or maybe product management who comes</p> <p>22 up with ideas for us. And they'll translate that</p>	<p>39</p> <p>1 suite?</p> <p>2 A We actually don't refer to them that way.</p> <p>3 There's a variety of ways I guess you could refer to</p> <p>4 them. We talk about system codes, so we talk about</p> <p>5 PO. So Purchase Order is a collection of programs</p> <p>6 that all support the purchase ordering functions that</p> <p>7 a customer may or may not have.</p> <p>8 Q So what are all the system codes that fall</p> <p>9 within the Supply Chain Management suite?</p> <p>10 A So we talked about already the PO,</p> <p>11 Purchase Order, Inventory Control. Requisitions or</p> <p>12 RQ. There's also Warehouse. There's the</p> <p>13 self-service applications. And with those I may</p> <p>14 forget one or two but clearly there's Vendor, there's</p> <p>15 Customer, there is Requisitions Self-Service, there's</p> <p>16 EDI, and there's Procurement Punchout. I may have</p> <p>17 forgotten a system code or two as part of that.</p> <p>18 Q In what countries does Lawson have</p> <p>19 facilities?</p> <p>20 A You want a full list?</p> <p>21 Q What you can remember.</p> <p>22 A I know -- we'll start in Asia-Pacific.</p>
<p>38</p> <p>1 into something that the software engineer can work</p> <p>2 off of.</p> <p>3 Q So you said the people that report to you</p> <p>4 directly include business analysts, software</p> <p>5 engineers.</p> <p>6 A Mm-hmm.</p> <p>7 Q People in QA.</p> <p>8 A Right.</p> <p>9 Q And technical writer.</p> <p>10 A Mm-hmm.</p> <p>11 Q What are each of the product lines that</p> <p>12 are sold by Lawson?</p> <p>13 A You've got your M3 and your S3 product</p> <p>14 lines.</p> <p>15 Q So within the S3 product line, is the</p> <p>16 Supply Chain Management functionality considered to</p> <p>17 be a suite of the S3 product line?</p> <p>18 A Yes. Mm-hmm.</p> <p>19 Q And within Supply Chain Management -- I</p> <p>20 don't know what you would call the next level,</p> <p>21 modules or applications. Are there modules or</p> <p>22 applications within the Supply Chain Management</p>	<p>40</p> <p>1 And this is off the top of my head. Actually, do we</p> <p>2 have the org chart? Not the org chart, but the legal</p> <p>3 entities diagram I provided, I believe.</p> <p>4 Q I don't think I have that.</p> <p>5 A Okay. Because if you look at the legal</p> <p>6 entities, that particular diagram, it does lay out</p> <p>7 which ones we have. Some are just considered branch</p> <p>8 offices, it may not -- I don't recall if they have</p> <p>9 their own separate legal entity. But Korea, Japan,</p> <p>10 Philippines, Australia, Thailand. I know we're in</p> <p>11 quite a few of the European countries. Obviously I</p> <p>12 know we're in the UK and in Sweden, obviously North</p> <p>13 America, we're sitting in Canada, but also here in</p> <p>14 the U.S., Brazil.</p> <p>15 Q Is Lawson Software Americas the only</p> <p>16 U.S.-based Lawson entity?</p> <p>17 A No, there are other entities that are</p> <p>18 still there. Primarily if you were to look at those,</p> <p>19 again, if we had that chart, it's on the lower left</p> <p>20 hand corner, the first page, those are companies that</p> <p>21 we actually acquired. So take Account 4, which later</p> <p>22 on became parts of products inside of the S3 product</p>

<p>41</p> <p>1 line. But they were U.S.-based companies that we</p> <p>2 bought here and acquired in the 1990s and early</p> <p>3 2000s.</p> <p>4 Q But are they still considered separate</p> <p>5 legal entities, or have they been merged into a</p> <p>6 Lawson entity?</p> <p>7 A They are separate legal entities. I don't</p> <p>8 know if they're subordinate on up. I would have to</p> <p>9 look at that chart again.</p> <p>10 Q Is there a separate Lawson subsidiary that</p> <p>11 provides professional services?</p> <p>12 A I do not believe there is in the United</p> <p>13 States, if that's what you're asking for.</p> <p>14 Q So professional services that are provided</p> <p>15 in the United States are performed by employees of</p> <p>16 Lawson Software Americas?</p> <p>17 A Yes. Mm-hmm.</p> <p>18 Q Where is the research and development</p> <p>19 conducted with respect to the S3 Supply Chain</p> <p>20 Management suite?</p> <p>21 A Most of that is done in Saint Paul.</p> <p>22 Q Do you know --</p>	<p>43</p> <p>1 A EDI is only in Saint Paul.</p> <p>2 Q Where is the product management activities</p> <p>3 performed for the Supply Chain Management suite of</p> <p>4 products?</p> <p>5 A All of that's done in Saint Paul.</p> <p>6 Actually I should clarify, the exception is Keith</p> <p>7 Lohkamp, who is not physically based in Saint Paul</p> <p>8 but reports up through Saint Paul.</p> <p>9 Q Where is Mr. Lohkamp based?</p> <p>10 A He's based in California.</p> <p>11 Q Where are the marketing activities</p> <p>12 conducted with respect to the Supply Chain Management</p> <p>13 suite?</p> <p>14 A So the marketing activities are done more</p> <p>15 at a global view. So you've got some marketing</p> <p>16 people based in Sweden. So if you go all the way to</p> <p>17 the top, that's where Travis White is. I don't</p> <p>18 remember if he's SVP or EVP, I want to say he's an</p> <p>19 EVP of marketing. But most of your actual S3 product</p> <p>20 marketing is going to occur out of Saint Paul. And</p> <p>21 they may have a few remote employees also, such as</p> <p>22 Keith Lohkamp. Keith is not in product marketing,</p>
<p>42</p> <p>1 A Do you have a specific product? I could</p> <p>2 tell you the specific location.</p> <p>3 Q Where is the R&D activities located for</p> <p>4 Requisitions Self-Service?</p> <p>5 A That's in Saint Paul.</p> <p>6 Q What about for Procurement Punchout?</p> <p>7 A Procurement Punchout is in Saint Paul.</p> <p>8 Q And Purchase Order?</p> <p>9 A Purchase Order, most of it's done in Saint</p> <p>10 Paul. Some of the newer functionality, we're</p> <p>11 starting to look at enhancements. We may choose to</p> <p>12 do some of that in Manila. We've got them trained to</p> <p>13 do that. They're doing a couple of minor things now.</p> <p>14 Q What about the Requisition module, where</p> <p>15 are the R&D activities?</p> <p>16 A Same with the Punchout -- I mean, as</p> <p>17 Purchase Order. Most of it, again, is in Saint Paul.</p> <p>18 We're looking to do a little bit of it in Manila.</p> <p>19 Q Where are the R&D activities for the</p> <p>20 Inventory Control module conducted?</p> <p>21 A Same as the last two.</p> <p>22 Q And what about for EDI?</p>	<p>44</p> <p>1 though. He's in management, product management.</p> <p>2 Q Where are the sales personnel who have</p> <p>3 responsibilities for the Supply Chain Management</p> <p>4 located?</p> <p>5 A They're distributed throughout the U.S.</p> <p>6 Q How are the procurement modules of the</p> <p>7 Supply Chain Management suite distributed to</p> <p>8 customers?</p> <p>9 A Meaning how do they actually get the</p> <p>10 software?</p> <p>11 Q Correct.</p> <p>12 A Okay. Once a contract is signed, most</p> <p>13 customers today will just download it off the web.</p> <p>14 So we enable them, once we verify the contract is</p> <p>15 okay, and actually product distribution will do that,</p> <p>16 they then provide them a user name, password, to be</p> <p>17 able to get to our website. And within the specific</p> <p>18 SKUs that they have or the codes that they're given,</p> <p>19 they can download certain products.</p> <p>20 Q Is there a particular Internet site from</p> <p>21 which the product downloads are performed?</p> <p>22 A There is. I don't know what the URL is</p>

<p>45</p> <p>1 offhand. I should be able to get to it from</p> <p>2 MyLawson.com.</p> <p>3 Q Is there another website known as</p> <p>4 support.lawson.com?</p> <p>5 A That all ties into MyLawson.com.</p> <p>6 MyLawson.com is kind of a generic portal interface</p> <p>7 for our customers to go to a variety of places.</p> <p>8 Q So you no longer distribute the software</p> <p>9 through the gold disks that you were referring to</p> <p>10 earlier?</p> <p>11 A They may still do that. I couldn't tell</p> <p>12 you if they still do or not. Most customers have</p> <p>13 gone to electronic media. As Internet bandwidth has</p> <p>14 increased, nowadays it's faster to get that than to</p> <p>15 wait for a CD to actually arrive.</p> <p>16 Q Do you know, for those products that still</p> <p>17 use the CD distribution method, where the</p> <p>18 distribution is located, distribution center?</p> <p>19 A Product distribution for Lawson is located</p> <p>20 in Saint Paul, for the S3 products.</p> <p>21 Q What is the overall parent company for the</p> <p>22 Lawson entities?</p>	<p>47</p> <p>1 offhand.</p> <p>2 Q And you indicated that all -- Lawson</p> <p>3 Software Americas, Inc. has responsibility for all</p> <p>4 functional areas associated with development of and</p> <p>5 marketing and sales of the products and distribution?</p> <p>6 A Of the S3 product, yes.</p> <p>7 Q Can you refer back to Christopherson</p> <p>8 Exhibit 1, and page 10, please.</p> <p>9 A Page 10. Okay.</p> <p>10 Q And I want to refer you particularly to</p> <p>11 topic number 4, asking for testimony concerning "the</p> <p>12 existence and terms of any intellectual property</p> <p>13 licenses, covenants not to sue, or any other</p> <p>14 agreement granting rights in intellectual property</p> <p>15 relating to electronic sourcing and procurement in</p> <p>16 which Lawson is a party or of which Lawson has</p> <p>17 knowledge, including any prevailing or established</p> <p>18 fees and/or royalties related to Lawson's business or</p> <p>19 its competitors."</p> <p>20 And you indicated earlier you had been</p> <p>21 designated to testify on Lawson's behalf with respect</p> <p>22 to this topic; is that correct?</p>
<p>46</p> <p>1 A I do not recall the exact name of that.</p> <p>2 So...</p> <p>3 Q Would it be Lawson Software, Incorporated?</p> <p>4 A It very well could be.</p> <p>5 Q I don't remember if I asked this before,</p> <p>6 but is Lawson Software Americas, Inc. the only</p> <p>7 U.S.-based subsidiary?</p> <p>8 A You did ask that before, and what I had</p> <p>9 referred to was, if we had that chart which listed</p> <p>10 all the companies, they were the companies that we</p> <p>11 acquired back in the 1990s, late 1990s and into the</p> <p>12 2000s time frame, those still are legal entities.</p> <p>13 Q Who is the chief executive of Lawson</p> <p>14 Software Americas?</p> <p>15 A That would be Harry Debes.</p> <p>16 Q Who is the chief executive over the entire</p> <p>17 Lawson --</p> <p>18 A Harry Debes.</p> <p>19 Q Who are the other executives of Lawson</p> <p>20 Software Americas?</p> <p>21 A That I couldn't say as far as who is in</p> <p>22 Americas versus who is at the top. I don't recall</p>	<p>48</p> <p>1 A That's correct.</p> <p>2 Q Has Lawson granted any third party any</p> <p>3 rights to any intellectual property relating to</p> <p>4 electronic sourcing and procurement systems?</p> <p>5 A None that I'm aware of.</p> <p>6 Q Does Lawson own any patents in the area of</p> <p>7 electronic sourcing or procurement?</p> <p>8 A In the S3 product, no.</p> <p>9 Q Do you know if Lawson owns any patents in</p> <p>10 the area of the M3 product?</p> <p>11 A I'm not aware of any. I don't do much in</p> <p>12 the M3 at all, so I really can't address M3.</p> <p>13 Q Who would you ask if you wanted to find</p> <p>14 out the answer to that with respect to M3?</p> <p>15 A I would go to Henrik Billgren. That's --</p> <p>16 myself, that's who I would go to.</p> <p>17 Q Has Lawson entered into any licenses to</p> <p>18 license in rights to any third party's intellectual</p> <p>19 property relating to electronic sourcing and</p> <p>20 procurement?</p> <p>21 A Again, none that I'm aware of at this</p> <p>22 time. No.</p>

<p>49</p> <p>1 Q Are you aware of any prevailing rates in</p> <p>2 the electronic sourcing and procurement industry for</p> <p>3 patent licenses?</p> <p>4 A No.</p> <p>5 Q Has Lawson ever been accused of</p> <p>6 infringement of any patents before the current</p> <p>7 litigation?</p> <p>8 A None that I'm aware of.</p> <p>9 Q Has Lawson licensed in any third party</p> <p>10 technology that's incorporated into any of the</p> <p>11 procurement modules of the S3 Supply Chain Management</p> <p>12 suite?</p> <p>13 A There is -- can you reread the question,</p> <p>14 actually, again?</p> <p>15 MS. ALBERT: Can you read it back, please?</p> <p>16 (Requested portion of record read.)</p> <p>17 THE WITNESS: That's clearly -- if you</p> <p>18 look at the entire S3 Supply Chain product, there are</p> <p>19 products that are needed in order to enable the</p> <p>20 functionality. So within EDI there's a</p> <p>21 communications protocol software that we use. The</p> <p>22 company that we got that from slips my mind at this</p>	<p>51</p> <p>1 the patents in suit before and after the filing of</p> <p>2 the present action, including any opinions of</p> <p>3 counsel, studies, reports, communications, and</p> <p>4 design-arounds considered by Lawson; is that correct?</p> <p>5 A That's correct.</p> <p>6 Q And you've also been designated to testify</p> <p>7 on Lawson's behalf concerning topic 11, relating to</p> <p>8 Lawson's awareness, notice, investigation, and</p> <p>9 analysis of the ePlus inc. versus Ariba, Inc.</p> <p>10 litigation, including any studies, reports, and</p> <p>11 communications concerning such litigation; is that</p> <p>12 correct?</p> <p>13 A That's correct.</p> <p>14 Q And you've also been designated to testify</p> <p>15 on Lawson's behalf regarding topic 12, relating to</p> <p>16 Lawson's awareness, notice, investigation, and</p> <p>17 analysis of the ePlus inc. versus SAP America, Inc.</p> <p>18 litigation, including any studies, reports, and</p> <p>19 communications concerning such litigation; is that</p> <p>20 correct?</p> <p>21 A That's correct.</p> <p>22 Q You've also been designated to testify on</p>
<p>50</p> <p>1 particular moment. Our software does rely obviously</p> <p>2 on compilers to work and stuff, of which the</p> <p>3 customers need to acquire. Those are the only ones I</p> <p>4 can think of off the top of my head.</p> <p>5 MS. ALBERT: Can we take a short</p> <p>6 couple-of-minute break?</p> <p>7 MR. SCHULTZ: Yes.</p> <p>8 THE VIDEOGRAPHER: We're going off the</p> <p>9 record. The time is 10:24 a.m.</p> <p>10 (Recess.)</p> <p>11 THE VIDEOGRAPHER: We're now back on the</p> <p>12 record. The time is 10:33 a.m.</p> <p>13 BY MS. ALBERT:</p> <p>14 Q Mr. Christopherson, can you turn to the</p> <p>15 document marked as Christopherson Exhibit 2 and refer</p> <p>16 to page 12.</p> <p>17 A Okay.</p> <p>18 Okay.</p> <p>19 Q Now, you indicated that you were</p> <p>20 designated to testify on Lawson's behalf with respect</p> <p>21 to topic number 10 relating to Lawson's awareness,</p> <p>22 notice, investigation, analysis, and evaluation of</p>	<p>52</p> <p>1 Lawson's behalf regarding topic number 13 relating to</p> <p>2 Lawson's awareness, notice, investigation, and</p> <p>3 analysis of ePlus's Procure Plus, Content Plus,</p> <p>4 Catalog Plus, and Supplier Portal products, including</p> <p>5 any opinions of counsel, studies, reports and</p> <p>6 communications concerning such products; is that</p> <p>7 correct?</p> <p>8 A That is correct.</p> <p>9 Q Who did you -- what did you do to educate</p> <p>10 yourself to testify on these topics?</p> <p>11 A For the most part it was looking at the</p> <p>12 patents; and obviously in the case of the legal</p> <p>13 documents, the court case that was submitted to the</p> <p>14 District Court with the ePlus versus Lawson; and then</p> <p>15 there was obviously discussions with counsel.</p> <p>16 Q Who did you speak to at the company to</p> <p>17 determine if Lawson had knowledge of ePlus, the</p> <p>18 patents in suit, the prior ePlus patent litigations,</p> <p>19 or ePlus's products?</p> <p>20 A Back in early May when we first -- and I</p> <p>21 was first made aware of the lawsuit by Lawson's legal</p> <p>22 team, I first talked with my team about this. And</p>

<p>53</p> <p>1 everyone on that team who -- most of them have been</p> <p>2 at Lawson for a decade or more said, "ePlus who?"</p> <p>3 Q Who did you talk to on your team?</p> <p>4 A No, that was what they said: "EPlus who?"</p> <p>5 They didn't know who ePlus was. They were ten years</p> <p>6 plus or more in the supply chain field.</p> <p>7 Q Who were the members of your team that you</p> <p>8 talked to?</p> <p>9 A At that particular point that would have</p> <p>10 been Dwight Delancy, the Procurement Punchout. That</p> <p>11 would have been Todd Dooner, as we mentioned earlier.</p> <p>12 Jill Richardson, who is the business analyst. The</p> <p>13 EDI developer, Brent Honedel. Later we would have</p> <p>14 talked to other people on the team too; Tim</p> <p>15 Caulfield, Keith Schmitz.</p> <p>16 Q I think you already indicated what</p> <p>17 positions Mr. Delancy and Mr. Dooner had. What's</p> <p>18 Ms. Richardson's position?</p> <p>19 A She's business analyst for the Supply</p> <p>20 Chain area.</p> <p>21 Q Where is she located?</p> <p>22 A She's in Saint Paul.</p>	<p>55</p> <p>1 these topics?</p> <p>2 A In the marketing area, none.</p> <p>3 Q How many people who handle competitive</p> <p>4 research and analysis did you speak with?</p> <p>5 A One.</p> <p>6 Q Who was that person?</p> <p>7 A Keith Lohkamp.</p> <p>8 Q What was the nature of your discussion</p> <p>9 with Mr. Lohkamp?</p> <p>10 A The nature was, was ePlus really doing</p> <p>11 products very similar to ours or not, based on his</p> <p>12 understanding and things. And then also his thought</p> <p>13 on the patents also, since he had an opportunity to</p> <p>14 look at those briefly at least, before we had spoke.</p> <p>15 Q And what did Mr. Lohkamp indicate</p> <p>16 regarding whether he considered ePlus was doing</p> <p>17 products very similar to Lawson's or not?</p> <p>18 A If I recall, I don't think he had heard</p> <p>19 much of them until there was a competitive bid with</p> <p>20 Cleveland Clinic where ePlus and Lawson both were</p> <p>21 competing for the business.</p> <p>22 Q Do you know when that bid took place?</p>
<p>54</p> <p>1 Q And Mr. Honedel, is that how you pronounce</p> <p>2 it, what is his position?</p> <p>3 A He's a developer, so software engineer.</p> <p>4 Q Where is he located?</p> <p>5 A Saint Paul.</p> <p>6 Q And what's Mr. Caulfield's position?</p> <p>7 A He's also a software engineer.</p> <p>8 Q Is he also located in Saint Paul?</p> <p>9 A That's correct.</p> <p>10 Q And what is Mr. Schmitz's position?</p> <p>11 A Software engineer.</p> <p>12 Q Is he also located in Saint Paul?</p> <p>13 A Yes.</p> <p>14 Q How many individuals in the sales force</p> <p>15 did you speak with?</p> <p>16 A Sales force, I spoke with -- I cannot</p> <p>17 recall a single salesperson that I actually spoke</p> <p>18 with on this.</p> <p>19 Q On these topics?</p> <p>20 A On these topics.</p> <p>21 Q How many individuals in the marketing area</p> <p>22 did you speak with in order to educate yourself on</p>	<p>56</p> <p>1 A Not the exact dates, no. I know it was</p> <p>2 probably last fall, it was maybe over winter time</p> <p>3 frame. So within the last year. But when it</p> <p>4 actually started, it maybe actually started before</p> <p>5 then.</p> <p>6 Q Do you know what products were involved in</p> <p>7 that bid?</p> <p>8 A Not from the ePlus side, no.</p> <p>9 Q What products were involved in that bid</p> <p>10 from the Lawson Software side?</p> <p>11 A Clearly we're looking at extending</p> <p>12 Requisitions Self-Service with the use of Punchout.</p> <p>13 Q Do you know what company was awarded the</p> <p>14 contract for Cleveland Clinic?</p> <p>15 A It was -- and actually it was two</p> <p>16 companies. Because it wasn't just Lawson. There was</p> <p>17 also a SciQuest. They needed -- content was the key,</p> <p>18 because Lawson doesn't provide content. So they were</p> <p>19 interested in getting data from SciQuest, and then</p> <p>20 Lawson, that's who won.</p> <p>21 Q Do you know if Mr. Lohkamp ever saw a</p> <p>22 demonstration of ePlus products in connection with</p>

<p>57</p> <p>1 that competition?</p> <p>2 A I do not know that.</p> <p>3 Q Do you know if Mr. Lohkamp ever saw any</p> <p>4 ePlus marketing materials in connection with that</p> <p>5 competition?</p> <p>6 A I do not know that either.</p> <p>7 Q So I should ask Mr. Lohkamp that, if I</p> <p>8 wanted to know?</p> <p>9 A It would be better to ask him.</p> <p>10 Q Do you know, were there any other</p> <p>11 individuals involved with that competitive bid beyond</p> <p>12 Mr. Lohkamp?</p> <p>13 A I'm sure there was other people involved</p> <p>14 with it. Basically with product development, we work</p> <p>15 through our -- in this case Keith is a product</p> <p>16 strategist. We would work directly with him. And he</p> <p>17 obviously would be working with the sales and</p> <p>18 marketing people.</p> <p>19 Q Do you know who the sales and marketing</p> <p>20 people were that had responsibilities for the</p> <p>21 Cleveland Clinic bid?</p> <p>22 A No, I do not.</p>	<p>59</p> <p>1 testify concerning topics 10 through 13 on the second</p> <p>2 notice, how many people in product management did you</p> <p>3 speak with about those topics?</p> <p>4 A Most of my discussions have been with</p> <p>5 Keith Lohkamp in this particular area. At some point</p> <p>6 I would have had some cursory discussions with one</p> <p>7 other person.</p> <p>8 Q Who was that other person?</p> <p>9 A Darci Snyder.</p> <p>10 Q And is that -- I'm not sure if that's a</p> <p>11 male or a female.</p> <p>12 A Female.</p> <p>13 Q What is Ms. Snyder's position?</p> <p>14 A She's a director of product management for</p> <p>15 S3.</p> <p>16 Q What were the nature of your discussions</p> <p>17 with Ms. Snyder?</p> <p>18 A It was very, very cursory, probably 15 to</p> <p>19 20 minutes in duration, if even.</p> <p>20 Q Do you recall what you discussed?</p> <p>21 A Had she ever heard of ePlus before. Her</p> <p>22 answer was no, she had not. She was aware that there</p>
<p>58</p> <p>1 Q Do you know who the sales account manager</p> <p>2 was on that bid?</p> <p>3 A I would refer back to my previous</p> <p>4 question. I think it was the same basic question.</p> <p>5 So the answer is no.</p> <p>6 Q Did Mr. Lohkamp tell you about any other</p> <p>7 competitive bids where Lawson Software competed</p> <p>8 directly against ePlus?</p> <p>9 A We've had those discussions. And he said</p> <p>10 he does not recall any time that we've had that. It</p> <p>11 was the first and only time.</p> <p>12 Q Did anyone on your team do any</p> <p>13 investigation on ePlus at the time of the Cleveland</p> <p>14 Clinic bid to try to gain intelligence about their</p> <p>15 product functionality?</p> <p>16 A Not my team, no.</p> <p>17 Q Do you know if anyone on Mr. Lohkamp's</p> <p>18 team did any investigation into ePlus's products in</p> <p>19 order to compete on the Cleveland Clinic bid?</p> <p>20 A I don't believe he did, or his team. He</p> <p>21 has a -- I don't believe he has a team, so...</p> <p>22 Q Going back to your education in order to</p>	<p>60</p> <p>1 was a competitive bid at the Cleveland Clinic. She</p> <p>2 didn't provide me any more information than what I</p> <p>3 had already learned from Mr. Lohkamp.</p> <p>4 Q Did you speak with any executives in</p> <p>5 company management in order to educate yourself to</p> <p>6 testify on these topics?</p> <p>7 A Depending on where you want to draw the</p> <p>8 line with executive management. Actually, where do</p> <p>9 you want to draw the line with executive management?</p> <p>10 Q Well, who do you consider to be executives</p> <p>11 that you spoke to to educate yourself on this topic?</p> <p>12 A Again, it would depend on where you want</p> <p>13 to draw it. If you want to draw it at the VP level,</p> <p>14 then I did speak with my boss, John Mulcrone.</p> <p>15 Q What were the nature of your discussions</p> <p>16 with Mr. Mulcrone?</p> <p>17 A We had a discussion as far as ePlus;</p> <p>18 again, had we -- had he run into ePlus before Lawson,</p> <p>19 as he's worked at Lawson, have we had a bid ever that</p> <p>20 ePlus's name ever came up.</p> <p>21 Q And what did he say?</p> <p>22 A No. He was not aware of any.</p>

<p>61</p> <p>1 Q Did you speak with any other executives at</p> <p>2 the VP level or above in order to educate yourself to</p> <p>3 testify on topics 10 through 13?</p> <p>4 A 10 through 13, other ones -- I do not</p> <p>5 believe that I have, no, with the exception --</p> <p>6 actually 10 through 13, let me make sure -- no.</p> <p>7 Q Did you send out any inquiries through the</p> <p>8 company's e-mail system or Intranet about these</p> <p>9 topics?</p> <p>10 A These particular three -- on topics number</p> <p>11 11 and 12, no. And I had number 10, there would have</p> <p>12 been some e-mails, again, perhaps between my team</p> <p>13 members and Mr. Mulcrone, people that we've already</p> <p>14 talked about. Probably an e-mail with Mr. Lohkamp</p> <p>15 also, on number 10, just having, you know, awareness</p> <p>16 of, you know, who's ePlus.</p> <p>17 Q Have those e-mails been produced to</p> <p>18 ePlus's counsel in this litigation?</p> <p>19 A Any e-mails that I would have had on any</p> <p>20 of this would have been turned over.</p> <p>21 MS. ALBERT: Just for the record, we have</p> <p>22 not seen any e-mails to, from, copying</p>	<p>63</p> <p>1 A In my day to day job, I'm generally not</p> <p>2 working too much with a lot of the salespeople.</p> <p>3 That's Keith's area. So my interaction would be with</p> <p>4 Keith, and Keith is interacting with them.</p> <p>5 Q But you understand you're designated to</p> <p>6 testify on topics 10 through 13 on behalf of Lawson.</p> <p>7 A Right.</p> <p>8 Q And part of your -- you're to educate</p> <p>9 yourself as to Lawson's corporate knowledge on those</p> <p>10 topics.</p> <p>11 A Right.</p> <p>12 Q So wouldn't it have been prudent to</p> <p>13 contact sales employees and account executives who</p> <p>14 might have been aware of ePlus in the marketplace to</p> <p>15 see if Lawson ever competed against ePlus in the</p> <p>16 e-Procurement arena?</p> <p>17 A I certainly could have sent out an e-mail</p> <p>18 message to a lot of people. But, again, I would get</p> <p>19 a better response by someone that they're interacting</p> <p>20 with on a more frequent basis, which is Mr. Lohkamp.</p> <p>21 So the person I spoke to was Mr. Lohkamp.</p> <p>22 Q Is there anyone in addition to Mr. Lohkamp</p>
<p>62</p> <p>1 Mr. Christopherson. We have no e-mails whatsoever.</p> <p>2 We did investigate the September 30th production that</p> <p>3 we were referred to by Ms. Driemen, and there are no</p> <p>4 Christopherson e-mails in that production. We also</p> <p>5 investigated some around that time period. We have</p> <p>6 not located any of Mr. Christopherson's e-mails</p> <p>7 whatsoever.</p> <p>8 MR. SCHULTZ: It's our understanding that</p> <p>9 they were produced on September 30th. I will look</p> <p>10 into and confirm that that was done and get back to</p> <p>11 you on that.</p> <p>12 THE WITNESS: There's not going to be a</p> <p>13 lot of e-mails I would have had on that. Most people</p> <p>14 are sitting real close to me. So there may have been</p> <p>15 one or two e-mails, but most of it is just, get up</p> <p>16 and talk to them.</p> <p>17 BY MS. ALBERT:</p> <p>18 Q Why didn't you send out any communications</p> <p>19 to any sales employees or account executives who</p> <p>20 might have been aware of ePlus in the marketplace to</p> <p>21 see if Lawson had ever competed against ePlus for</p> <p>22 business in the e-Procurement area?</p>	<p>64</p> <p>1 who you had talked to if you wanted to determine</p> <p>2 whether Lawson ever competed against ePlus?</p> <p>3 A Then I would have gone to Darci Snyder,</p> <p>4 who I mentioned previously. And -- go ahead.</p> <p>5 Q Are there particular sales personnel who</p> <p>6 are out there trying to sell products in the</p> <p>7 e-Procurement area?</p> <p>8 A They're not trying to sell products just</p> <p>9 in the e-Procurement area. We're not out selling</p> <p>10 just e-Procurement. We're out selling S3. We're out</p> <p>11 selling M3.</p> <p>12 Q So are there particular sales employees in</p> <p>13 the S3 product line who you could have contacted to</p> <p>14 see if Lawson had ever competed against ePlus?</p> <p>15 A Absolutely. We could have sent out an</p> <p>16 e-mail message to the entire sales team.</p> <p>17 Q But you didn't do that, right?</p> <p>18 A That's correct, I did not do that.</p> <p>19 Q Did you check with anyone in Sweden or</p> <p>20 Europe to determine if the company had knowledge of</p> <p>21 ePlus there?</p> <p>22 A Mr. Billgren and myself did have a</p>

<p>65</p> <p>1 discussion at one point earlier this summer.</p> <p>2 Q And what was the nature of your</p> <p>3 discussion?</p> <p>4 A That was, as far as the M3 products, he</p> <p>5 was wondering what this whole patent thing was about,</p> <p>6 and why he was going to have to provide, you know,</p> <p>7 questions back to our attorneys as far as what the M3</p> <p>8 products capability was. And then -- so obviously he</p> <p>9 wanted some background and stuff. He had not heard</p> <p>10 of ePlus ever before.</p> <p>11 Q Did you check with anyone else in Europe</p> <p>12 to determine if anyone else over there on that side</p> <p>13 of the company had ever had knowledge of ePlus?</p> <p>14 A No. He's been a person that I've been</p> <p>15 able to rely on getting quite good information in the</p> <p>16 past as far as competitive structure. He works in</p> <p>17 product management also. So again, that's his area</p> <p>18 of expertise, is to know that. And he's been there</p> <p>19 for quite a few years.</p> <p>20 Q What documents did you consult to</p> <p>21 determine if there was knowledge within the company</p> <p>22 relating to ePlus?</p>	<p>67</p> <p>1 A Yes.</p> <p>2 Q Did you search for documents in the</p> <p>3 competitive research department or the files of</p> <p>4 persons with responsibilities of that area?</p> <p>5 A That would have been something that Keith</p> <p>6 would have already had done.</p> <p>7 Q Do you know if he did a specific search in</p> <p>8 that department for documents that might have related</p> <p>9 to ePlus?</p> <p>10 A I would need to ask him specifically for</p> <p>11 that. I do not know.</p> <p>12 Q So in order to prepare to testify today,</p> <p>13 you didn't go back and ask him that question?</p> <p>14 A No, I did not.</p> <p>15 Q Did you conduct a search through the</p> <p>16 marketing department's files to determine if there</p> <p>17 was documentation relating to ePlus or its patents or</p> <p>18 its products?</p> <p>19 A The specific -- withinside of marketing</p> <p>20 specifically for that, no.</p> <p>21 Q Did you search product management's files</p> <p>22 to determine if there is documentation relating to</p>
<p>66</p> <p>1 A Going out and doing searches withinside</p> <p>2 of -- we've got an -- I call it an employee portal,</p> <p>3 which is -- affectionately we call it the Globe, it's</p> <p>4 on my My.Lawson.com, which is going to be viewed</p> <p>5 internally. We did a search there and didn't turn up</p> <p>6 anything there.</p> <p>7 Q What types of documents are maintained at</p> <p>8 the employee portal?</p> <p>9 A A variety of documents around all the</p> <p>10 operational areas. So you've got your support, as</p> <p>11 far as their policies, practices, procedures with --</p> <p>12 inside of sales. Similar things along with marketing</p> <p>13 brochures, product development, not nearly as much</p> <p>14 there. Most of ours tend to be design. I should add</p> <p>15 I also did a search back in -- we've got a share</p> <p>16 drive on the S3 side where we keep most of our</p> <p>17 designs.</p> <p>18 And product requirements documents, as we</p> <p>19 get those, did searches on those systems also.</p> <p>20 Q So did you do a specific search of the</p> <p>21 employee portal to determine if there was knowledge</p> <p>22 of ePlus?</p>	<p>68</p> <p>1 ePlus, its patents, its products, its prior</p> <p>2 litigations?</p> <p>3 A No.</p> <p>4 Q Did you review any industry analyst</p> <p>5 reports such as those published by Aberdeen, Gartner</p> <p>6 Group, Forrester, that Lawson subscribes to, to</p> <p>7 determine if ePlus was ever discussed or if the prior</p> <p>8 suits by ePlus involving the patents in suit were</p> <p>9 discussed in those documents?</p> <p>10 A I have not looked for ePlus specifically</p> <p>11 in those documents. I have seen those documents in</p> <p>12 the past, seen some.</p> <p>13 Q So you're aware that Lawson does subscribe</p> <p>14 to some of those --</p> <p>15 A Yes.</p> <p>16 Q -- reports?</p> <p>17 A Mm-hmm.</p> <p>18 Q Do you know what reports Lawson subscribes</p> <p>19 to?</p> <p>20 A Not the specific ones, no.</p> <p>21 Q Do you know if Lawson subscribes to the</p> <p>22 Aberdeen Group's reports?</p>

<p>69</p> <p>1 A I know that I've seen some from internal</p> <p>2 Lawson, yes.</p> <p>3 Q What about the Gartner Group?</p> <p>4 A Same.</p> <p>5 Q What about Forrester reports?</p> <p>6 A I'm pretty sure Forrester also.</p> <p>7 Q Do you know how many subscriptions Lawson</p> <p>8 maintains with respect to the Aberdeen reports?</p> <p>9 A That I do not know.</p> <p>10 Q Who would you ask to determine that?</p> <p>11 A I would go to Darci first.</p> <p>12 Q Darci Snyder?</p> <p>13 A Yes. Mm-hmm.</p> <p>14 Q Do you know how many subscriptions Lawson</p> <p>15 maintains to the Gartner Group reports?</p> <p>16 A Same thing. I do not.</p> <p>17 Q And would you also consult Darci Snyder</p> <p>18 for the answer to that question?</p> <p>19 A Yes.</p> <p>20 Q And what about the Forrester reports, do</p> <p>21 you know how many subscriptions Lawson maintains to</p> <p>22 those reports?</p>	<p>71</p> <p>1 at least the director level, maybe down to the</p> <p>2 manager level, and in some organizations clearly down</p> <p>3 to the individual contributor level below that.</p> <p>4 Q Does anyone within your group receive</p> <p>5 these reports?</p> <p>6 A Not directly, no.</p> <p>7 Q Do they receive them indirectly?</p> <p>8 A They do receive them indirectly. Some of</p> <p>9 them may come from myself or their prior managers or</p> <p>10 directors. Some of them may, if they're working</p> <p>11 specifically with someone from either Darci's group</p> <p>12 such as Keith Lohkamp, they may see a draft copy of</p> <p>13 that come through. They may see the final copy.</p> <p>14 Q Do you yourself get copied as these</p> <p>15 reports are distributed?</p> <p>16 A Not in every one, no. Uh-uh.</p> <p>17 Q On which ones would you receive copies?</p> <p>18 A Generally ones about our new products that</p> <p>19 we've got as far as how they're being perceived by</p> <p>20 the analysts.</p> <p>21 Q Is there any centralized location where</p> <p>22 these industry analyst reports are stored or</p>
<p>70</p> <p>1 A No.</p> <p>2 Q And could you also contact Ms. Snyder to</p> <p>3 determine that?</p> <p>4 A I could.</p> <p>5 Q Do you know if Lawson maintains</p> <p>6 subscriptions to any other industry analyst reports?</p> <p>7 A They very well may. Those are the three</p> <p>8 that I tend to see.</p> <p>9 Q How widespread within the company are</p> <p>10 those reports disseminated?</p> <p>11 A It depends on the specific report and the</p> <p>12 details of the reports. Some are fairly widespread,</p> <p>13 as we've got new products and stuff. Many are not</p> <p>14 too terribly widespread.</p> <p>15 Q Which ones do you think are among those</p> <p>16 that are widespread?</p> <p>17 A Generally the ones doing comparison of our</p> <p>18 newer products and possible competitive products.</p> <p>19 Q And by widespread distribution, can you</p> <p>20 describe what you mean when you use that term?</p> <p>21 A More than a couple dozen people, meaning</p> <p>22 it's probably to most if not all individuals, down to</p>	<p>72</p> <p>1 archived?</p> <p>2 A If there's a centralized location, I</p> <p>3 couldn't answer that. I do not know.</p> <p>4 Q Who would you ask to determine that?</p> <p>5 A Again, I would go to Darci on that.</p> <p>6 Q Did you review any industry analyst</p> <p>7 reports to prepare for this deposition?</p> <p>8 A No.</p> <p>9 Q Do you know if these industry analyst</p> <p>10 reports were collected for production in this</p> <p>11 litigation?</p> <p>12 A It was my understanding that they would</p> <p>13 have been, they should have been. Whether or not --</p> <p>14 I've not actually seen everything that's been turned</p> <p>15 over, because there was -- speaking on my PC alone, I</p> <p>16 don't want to give you the number of files. I mean,</p> <p>17 it's tens of thousands if not hundreds of thousands</p> <p>18 of files.</p> <p>19 Q And you would have had some of these types</p> <p>20 of reports on your PC?</p> <p>21 A On my PC, no, I would not have had.</p> <p>22 MS. ALBERT: Mr. Schultz, I'm just going</p>

<p>73</p> <p>1 to state for the record that we're going to request</p> <p>2 all of these Aberdeen, Gartner Group, Forrester,</p> <p>3 these types of industry analyst reports, that are in</p> <p>4 Lawson's position, custody, or control, going back to</p> <p>5 January of 2004. We ask that those be produced.</p> <p>6 MR. SCHULTZ: Just for the record, to the</p> <p>7 extent that any of those documents would have been on</p> <p>8 the systems that were related in this case, for</p> <p>9 example the custodians that were already collected,</p> <p>10 those would have already been produced. Also we are</p> <p>11 checking to see if there's a central database with</p> <p>12 the reports, and we will confirm whether we have</p> <p>13 access to the reports dating back to January of 2004.</p> <p>14 MS. ALBERT: Well, I mean, we might need a</p> <p>15 broader search done than just the custodians that</p> <p>16 were already collected from in order to find these.</p> <p>17 MR. SCHULTZ: And that's the reason why</p> <p>18 we're going to see if there is a central database of</p> <p>19 those reports.</p> <p>20 MS. ALBERT: Well, I would also ask that</p> <p>21 you make efforts to investigate whether particular</p> <p>22 individuals with responsibilities in competitive</p>	<p>75</p> <p>1 kind of clipping service that clips news stories that</p> <p>2 have relevance to the industries in which you compete</p> <p>3 in?</p> <p>4 A I'm not aware of any.</p> <p>5 Q Who would you talk to if you wanted to</p> <p>6 determine that?</p> <p>7 A I would go to Darci, again, and knowing --</p> <p>8 she would be probably referring me to somebody else,</p> <p>9 if something did exist.</p> <p>10 Q In an effort to educate yourself to</p> <p>11 prepare to testify concerning topics 10 through 13,</p> <p>12 did you make any inquiries to determine whether</p> <p>13 anyone at Lawson was aware of ePlus's prior</p> <p>14 litigation against Ariba involving the same patents</p> <p>15 that are in suit here?</p> <p>16 A Mm-hmm. Again, all the conversations that</p> <p>17 we've had in Lawson, Ariba had not come up with the</p> <p>18 action of ePlus versus Ariba, prior to ePlus versus</p> <p>19 Lawson. So we weren't aware of that.</p> <p>20 Q Did you make any inquiries to determine if</p> <p>21 anyone at Lawson was aware of ePlus's prior suit</p> <p>22 against SAP involving the same patents as are in suit</p>
<p>74</p> <p>1 intelligence, for example marketing, product</p> <p>2 management, and the types of people to whom these</p> <p>3 types of reports should be disseminated would have</p> <p>4 copies, if they haven't already been -- if their</p> <p>5 documents have not already been collected in the</p> <p>6 custodian search, that you do so.</p> <p>7 MR. SCHULTZ: I will look into that.</p> <p>8 BY MS. ALBERT:</p> <p>9 Q Is there a library on news reports on</p> <p>10 competition, or major events, stories involving the</p> <p>11 competition, that are maintained in the competitive</p> <p>12 research marketing or product management groups?</p> <p>13 A Whether or not there's a central</p> <p>14 repository, I couldn't answer that, if there is. I</p> <p>15 know, for instance, there is reports that I do see</p> <p>16 occasionally that talk about competition and what</p> <p>17 they've done, and then obviously a lot about what we</p> <p>18 also are doing or have done.</p> <p>19 Q Is there a particular name of these type</p> <p>20 of competition reports that you were referring to?</p> <p>21 A I can't think of a specific name, no.</p> <p>22 Q Do you know if Lawson subscribes to any</p>	<p>76</p> <p>1 here?</p> <p>2 A Same thing. Prior to ePlus versus Lawson,</p> <p>3 we were not aware of anything about ePlus versus SAP.</p> <p>4 Q Did you make specific inquiries of</p> <p>5 individuals to make that determination?</p> <p>6 A Everyone that we've talked to at all the</p> <p>7 meetings and stuff that we've had, it's never come</p> <p>8 up.</p> <p>9 Q But you didn't talk specifically to anyone</p> <p>10 in the marketing department, correct?</p> <p>11 A Again, that would be going back through --</p> <p>12 Keith Lohkamp would have those connections. Keith</p> <p>13 was involved in those meetings.</p> <p>14 Q Do you know if Mr. Lohkamp made inquiries</p> <p>15 of individuals in the marketing department about that</p> <p>16 area?</p> <p>17 A It would be a question probably best</p> <p>18 stated to him.</p> <p>19 Q But in order to prepare to testify today,</p> <p>20 you didn't go back and ask him about that?</p> <p>21 A I did not ask him that specific question,</p> <p>22 no.</p>

<p>77</p> <p>1 Q And you didn't make any inquiries of any</p> <p>2 individuals in the sales department concerning</p> <p>3 whether anyone in the sales department was aware of</p> <p>4 these prior litigations?</p> <p>5 A That is correct.</p> <p>6 Q And you didn't make any inquiries of</p> <p>7 anyone in the competitive intelligence department to</p> <p>8 determine if anyone in that group was aware of these</p> <p>9 prior litigations?</p> <p>10 A Myself, no.</p> <p>11 Q Are there any former ePlus employees</p> <p>12 within Lawson?</p> <p>13 A Not that I'm aware of.</p> <p>14 Q Did you make any inquiries to determine</p> <p>15 that?</p> <p>16 A Did I speak to the HR department, no.</p> <p>17 Q How would you go about determining whether</p> <p>18 there were any former ePlus employees at Lawson?</p> <p>19 A I would go to the HR department and -- it</p> <p>20 may be on someone's resume. I don't think that we've</p> <p>21 got a central repository that would show where people</p> <p>22 worked prior.</p>	<p>79</p> <p>1 Q Did you check with any of the employees in</p> <p>2 Lawson's legal department to see if they had any</p> <p>3 information on the prior ePlus lawsuits?</p> <p>4 A Is this -- are you referring to prior to</p> <p>5 Lawson, ePlus versus Lawson?</p> <p>6 Q Right. In order to prepare to testify</p> <p>7 today on topics 10 through 13, did you check with any</p> <p>8 of the employees in Lawson's legal department to see</p> <p>9 if they had any information on the prior ePlus</p> <p>10 lawsuits?</p> <p>11 A That is correct, I did.</p> <p>12 Q You did not?</p> <p>13 A I did.</p> <p>14 Q You did? With whom did you check?</p> <p>15 A I had discussions with Mike Cohen and --</p> <p>16 let's see. I believe Mike is the only one.</p> <p>17 Q Did Mike have any information on the prior</p> <p>18 ePlus lawsuits?</p> <p>19 MR. SCHULTZ: I'll just caution you not to</p> <p>20 talk about any attorney-client confidences in this</p> <p>21 question.</p> <p>22 THE WITNESS: Okay. Prior to the</p>
<p>78</p> <p>1 Q Who would you talk to at the HR</p> <p>2 department?</p> <p>3 A I would have started with Mary Medved.</p> <p>4 Q Do you know if anyone at Lawson has ever</p> <p>5 seen a demo of the ePlus Supply Chain Management</p> <p>6 solutions?</p> <p>7 A I'm not aware of anyone that has.</p> <p>8 Q Did you make any inquiries to determine</p> <p>9 that?</p> <p>10 A Clearly we've talked amongst -- Keith and</p> <p>11 I have talked, people on my team have talked about</p> <p>12 that. And it's never -- it's never come up that</p> <p>13 they've seen any demo. We actually -- what is the</p> <p>14 product? We've actually had -- have we seen it? The</p> <p>15 only thing I have seen is some screen clips, the only</p> <p>16 thing that they have seen is the screen clips in the</p> <p>17 patents themselves.</p> <p>18 Q But you didn't make any inquiries of</p> <p>19 anyone in the sales or marketing department to</p> <p>20 determine if they had ever seen a demo of the ePlus</p> <p>21 Supply Chain Management solutions; is that correct?</p> <p>22 A That's correct.</p>	<p>80</p> <p>1 ePlus/Lawson -- or Lawson being notified of ePlus's</p> <p>2 legal action, no. I did not.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q Did you make any inquiries to determine if</p> <p>5 Lawson competed against ePlus with respect to the</p> <p>6 Supply Chain Management products being sold to the</p> <p>7 Gannett Company?</p> <p>8 A It's the first that I've heard of it</p> <p>9 myself.</p> <p>10 Q So you did not make any inquiries?</p> <p>11 A No. I couldn't, if you're just telling me</p> <p>12 now.</p> <p>13 Q Did you make any inquiries to determine</p> <p>14 whether Lawson competed against ePlus for Supply</p> <p>15 Chain Management products in connection with</p> <p>16 Hanesbrands?</p> <p>17 A No.</p> <p>18 Q Did you make any inquiries to determine</p> <p>19 whether Lawson competed against ePlus for Supply</p> <p>20 Chain Management products for XM Radio?</p> <p>21 A Again, we don't do anything in the XM</p> <p>22 Radio space, so no.</p>

<p>81</p> <p>1 Q So you don't think that Lawson ever</p> <p>2 submitted a bid for Supply Chain Management products</p> <p>3 to XM Radio?</p> <p>4 A Perhaps they have. I could not tell you.</p> <p>5 Q Who would you check with to make that</p> <p>6 determination?</p> <p>7 A I would go back to Darci on that.</p> <p>8 Q Darci Snyder?</p> <p>9 A Yes, mm-hmm.</p> <p>10 Q Did you make any inquiries to determine</p> <p>11 whether Lawson competed against ePlus for the sale of</p> <p>12 Supply Chain Management products to Novant Health?</p> <p>13 A No. None.</p> <p>14 Q Did you make any inquiries to determine</p> <p>15 whether Lawson competed against ePlus for the sale of</p> <p>16 Supply Chain Management products to Wolters Kluwer?</p> <p>17 A No, I have not.</p> <p>18 Q Does Lawson attend industry trade shows in</p> <p>19 the area of Supply Chain Management products?</p> <p>20 A Yes, they do.</p> <p>21 Q What trade shows does Lawson attend?</p> <p>22 A Keith is the one who attends those,</p>	<p>83</p> <p>1 A No. Again, we're not just selling Supply</p> <p>2 Chain. We're selling the S3. So our sales force is</p> <p>3 well versed in the entire S3 product offering. So</p> <p>4 there's not going to be just a dedicated salesperson</p> <p>5 going outside that he sells Supply Chain.</p> <p>6 Q Are there particular salespeople that</p> <p>7 regularly attend trade shows on behalf of Lawson?</p> <p>8 A No. Uh-uh. That would not be -- that</p> <p>9 that is what their job is, is to attend trade shows,</p> <p>10 no.</p> <p>11 Q So anyone in the sales department could</p> <p>12 attend any trade show?</p> <p>13 A Not anyone. I'm sure there's an order in</p> <p>14 which they're going through, looking at, okay,</p> <p>15 obviously looking for where is that trade show at,</p> <p>16 who might have potential prospects attending that</p> <p>17 show, so as a result, let's make sure that we've got</p> <p>18 the right people there. So each one is analyzed on</p> <p>19 its own individual merit.</p> <p>20 Q For a trade show that has relevance to the</p> <p>21 Supply Chain Management area, who from product</p> <p>22 management would typically attend such a trade show?</p>
<p>82</p> <p>1 generally. And I would refer you to get that from</p> <p>2 him to get the specific names.</p> <p>3 Q Do you know what trade shows Lawson</p> <p>4 attends?</p> <p>5 A As a whole company?</p> <p>6 Q For Supply Chain Management products.</p> <p>7 A Supply Chain -- again, Keith would know</p> <p>8 that for the S3 products.</p> <p>9 Q Besides Mr. Lohkamp, who would attend such</p> <p>10 trade shows on behalf of Lawson?</p> <p>11 A There would usually be sales, one or two</p> <p>12 salespeople also there at the shows. There may be</p> <p>13 someone who can also do the demos, so there would be</p> <p>14 a consultant working with the salesperson. There may</p> <p>15 be other people, depending on the length of the show</p> <p>16 and the importance of the show, there may be other</p> <p>17 additional people from product management that might</p> <p>18 be supporting Keith, all working for Darci.</p> <p>19 Q You said there would be one or two</p> <p>20 salespeople. Are there particular salespeople that</p> <p>21 attend trade shows in the Supply Chain Management</p> <p>22 area?</p>	<p>84</p> <p>1 A As I mentioned previously, Keith Lohkamp</p> <p>2 would be one that would attend. A variety of people</p> <p>3 from Darci Snyder's group would attend.</p> <p>4 Q Do you know any particular individuals</p> <p>5 from Darci Snyder's group who might attend trade</p> <p>6 shows that would be related to Supply Chain</p> <p>7 Management?</p> <p>8 A Could be Colleen Holm, is one of the other</p> <p>9 names.</p> <p>10 Q Anyone else that you can think of?</p> <p>11 A There's a name, and I can't think of it</p> <p>12 right now off the top of my head. I can picture her,</p> <p>13 I know where she sits. But -- Watson is the last</p> <p>14 name.</p> <p>15 Q Do you ever attend any trade shows on</p> <p>16 behalf of Lawson?</p> <p>17 A Yes. I do.</p> <p>18 Q What trade shows do you attend?</p> <p>19 A Lawson's trade show. Lawson's CUE, C-U-E.</p> <p>20 Q What does CUE stand for?</p> <p>21 A I believe it's Customer -- I don't recall.</p> <p>22 We generally just refer to it as CUE. It's slipped</p>

<p>85</p> <p>1 my mind again. I do know what it is, but it's</p> <p>2 slipped my mind.</p> <p>3 Q And that particular trade show, would</p> <p>4 Lawson be the only exhibitor, if you will?</p> <p>5 A It's our trade show. We're not the only</p> <p>6 exhibitor. Other partners will also have booths set</p> <p>7 up in the trade show.</p> <p>8 Q But you wouldn't invite your competitors</p> <p>9 to come to those trade shows?</p> <p>10 A That wouldn't be the smart thing to do,</p> <p>11 no.</p> <p>12 Q Have you ever attended a trade show where</p> <p>13 representatives of ePlus were also in attendance?</p> <p>14 A Can you say the question again?</p> <p>15 Q Have you ever attended a trade show where</p> <p>16 representatives of ePlus were also in attendance?</p> <p>17 A I have not, no.</p> <p>18 Q Did you --</p> <p>19 A At least, if they were as ePlus employees.</p> <p>20 Q What do you mean by that?</p> <p>21 A It would be easy, someone could have been</p> <p>22 employed by one of our customers and later went to go</p>	<p>87</p> <p>1 clearance investigation to determine whether or not</p> <p>2 that idea will infringe the intellectual property</p> <p>3 rights of third parties?</p> <p>4 A I have been involved with very few new</p> <p>5 concepts. So that I couldn't speak to, if we've</p> <p>6 actually done that or not. Most of the products I've</p> <p>7 got, we're simply enhancing those.</p> <p>8 Q Before a new enhancement is released, for</p> <p>9 example with respect to the S3 Supply Chain</p> <p>10 Management modules, does Lawson engage in any kind of</p> <p>11 intellectual property clearance investigation to</p> <p>12 ensure that that enhanced feature will not infringe</p> <p>13 the intellectual property rights of third parties?</p> <p>14 A No.</p> <p>15 Q Does Lawson have any policy, practice, or</p> <p>16 procedure relating to the avoidance of patents or</p> <p>17 intellectual property rights of others?</p> <p>18 A I'm not sure what you mean by that.</p> <p>19 Q Is there any kind of corporate policy that</p> <p>20 is designed to prevent intellectual property right</p> <p>21 infringements from occurring within the company?</p> <p>22 A Again, I'm still struggling with what</p>
<p>86</p> <p>1 to work for ePlus. I'm not saying that's happened,</p> <p>2 but that's one possibility. Another possibility is</p> <p>3 that ePlus was there but not as ePlus, they were</p> <p>4 maybe working with a customer and were there on</p> <p>5 behalf of the customer. But no one badged as ePlus,</p> <p>6 that I'm aware of.</p> <p>7 Q In order to prepare to testify on topics</p> <p>8 10 to 13 today, did you make any inquiries to</p> <p>9 determine if anyone at Lawson had ever attended a</p> <p>10 trade show where representatives of ePlus were also</p> <p>11 in attendance?</p> <p>12 A I have not, no.</p> <p>13 Q Before Lawson releases a new product, does</p> <p>14 it engage in any kind of intellectual property</p> <p>15 clearance investigation to ensure that the product</p> <p>16 does not infringe the intellectual property rights of</p> <p>17 third parties?</p> <p>18 A That would be done well before we get</p> <p>19 close to even releasing a product. That's in the</p> <p>20 idea stage.</p> <p>21 Q So in the idea stage of a product, does</p> <p>22 Lawson engage in any kind of intellectual property</p>	<p>88</p> <p>1 you're really meaning by that.</p> <p>2 Q For example, some companies have Internet</p> <p>3 use policies that prohibit employees from downloading</p> <p>4 unapproved software off of the Internet, so that you</p> <p>5 make sure that you're not infringing copyright</p> <p>6 rights, for example.</p> <p>7 A Mm-hmm.</p> <p>8 Q Does Lawson have any policies or</p> <p>9 procedures regarding avoidance of intellectual</p> <p>10 property rights --</p> <p>11 MR. SCHULTZ: Ms. Albert, before he</p> <p>12 answers, what topic is this?</p> <p>13 MS. ALBERT: I would say this relates</p> <p>14 generally to topic number 10, investigation,</p> <p>15 analysis, evaluation of the patents in suit before</p> <p>16 and after the filing of the present action including</p> <p>17 opinions of counsel, etc.</p> <p>18 MR. SCHULTZ: Okay. I will object to this</p> <p>19 line of questioning, then. You can answer.</p> <p>20 THE WITNESS: We do have policies from our</p> <p>21 IT team as far as downloading software. We're not</p> <p>22 supposed to download software unless it's in an</p>

<p>89</p> <p>1 approved category of software. And then -- it speaks</p> <p>2 for itself, I guess.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q Where is that policy located?</p> <p>5 A I'll go back to where I said, within the</p> <p>6 employee portal of My.Lawson.com.</p> <p>7 Q Is that policy disseminated</p> <p>8 corporate-wide?</p> <p>9 A Yes, in fact it had been done again this</p> <p>10 spring. When I say "done again" what I mean is, it</p> <p>11 refreshed everyone's memory of that one. And we do</p> <p>12 that at least once a year.</p> <p>13 Q Are you familiar with a product known as</p> <p>14 Procure Plus?</p> <p>15 A I am not, no.</p> <p>16 Q Are you familiar with a product known as</p> <p>17 Content Plus?</p> <p>18 A No, I am not.</p> <p>19 Q Are you familiar with a product known as</p> <p>20 Catalog Plus?</p> <p>21 A I'm not.</p> <p>22 Q Have you ever seen any marketing</p>	<p>91</p> <p>1 A Okay.</p> <p>2 THE VIDEOGRAPHER: This marks the end of</p> <p>3 tape number 1 in the deposition of</p> <p>4 Mr. Christopherson. We're going off the record. The</p> <p>5 time is 11:24 a.m.</p> <p>6 (Recess.)</p> <p>7 THE VIDEOGRAPHER: This marks the</p> <p>8 beginning of tape number 2 in the deposition of</p> <p>9 Mr. Christopherson. We're back on the record. The</p> <p>10 time is 11:50 a.m.</p> <p>11 BY MS. ALBERT:</p> <p>12 Q Mr. Christopherson, before the break I had</p> <p>13 asked you whether you had ever performed any</p> <p>14 comparison of the functions, features, or</p> <p>15 characteristics of any Lawson product or application</p> <p>16 with any claim or any element of any claim of any of</p> <p>17 the ePlus patents. And you indicated that you had;</p> <p>18 is that correct?</p> <p>19 A That's correct.</p> <p>20 (Christopherson Exhibit 3 was marked for</p> <p>21 identification and attached to the deposition</p> <p>22 transcript.)</p>
<p>90</p> <p>1 literature concerning any of those products?</p> <p>2 A I have not, no.</p> <p>3 Q Did you make an investigation as part of</p> <p>4 your preparation to testify concerning topic 13 as to</p> <p>5 whether anyone at Lawson had ever seen any marketing</p> <p>6 literature on any of those products?</p> <p>7 A Again, my discussions with Keith is what</p> <p>8 I've had on those.</p> <p>9 Q Did you conduct any search for documents</p> <p>10 to see if anyone within Lawson had copies of any</p> <p>11 marketing literature concerning any of those</p> <p>12 products?</p> <p>13 A I have not specifically asked for those,</p> <p>14 no.</p> <p>15 Q Have you ever performed any comparison of</p> <p>16 the features or functionality of any Lawson product</p> <p>17 or application with any claim or element of any claim</p> <p>18 of the ePlus patents?</p> <p>19 A Yes. Did you want to go into that line</p> <p>20 next? If so, it might be a good time to take a</p> <p>21 break.</p> <p>22 Q Okay. Sure. We can take a break.</p>	<p>92</p> <p>1 BY MS. ALBERT:</p> <p>2 Q Let me hand you a document the reporter</p> <p>3 has marked as Christopherson Exhibit 3. It's United</p> <p>4 States Patent 6,023,683. And I'll refer to this by</p> <p>5 the last three numbers, as the '683 patent.</p> <p>6 A Okay. Thank you.</p> <p>7 Q Have you seen the document that has been</p> <p>8 marked as Christopherson Exhibit 3 before today?</p> <p>9 A Yes, I have.</p> <p>10 Q When did you first see this document?</p> <p>11 A It would have been in May of this year.</p> <p>12 Q And did you review this patent after the</p> <p>13 lawsuit was filed?</p> <p>14 A Correct. That was the first time I</p> <p>15 reviewed it.</p> <p>16 Q How many times have you reviewed it since</p> <p>17 then?</p> <p>18 A Two or three times.</p> <p>19 Q And did you make a comparison of the</p> <p>20 functions, features, or characteristics of a Lawson</p> <p>21 product or application with any claim in the '683</p> <p>22 patent?</p>

<p>93</p> <p>1 A Yes.</p> <p>2 Q Do you know what claims you did that</p> <p>3 comparison for?</p> <p>4 A I am pretty sure we went through all of</p> <p>5 the claims.</p> <p>6 Q Was there a particular Lawson product or</p> <p>7 application that you were comparing to these claims?</p> <p>8 A With this particular product set we looked</p> <p>9 at a couple of products, and that would have been the</p> <p>10 Requisition, because it does talk about requisitions</p> <p>11 in here, and purchase orders. So the RQ, Requisition</p> <p>12 module, if you would; Purchase Order, PO module; and</p> <p>13 then also Requisitions Self-Service; and Punchout</p> <p>14 also with that, Procurement Punchout.</p> <p>15 Q So you compared the current versions of</p> <p>16 those modules to the claims?</p> <p>17 A Yes, we did.</p> <p>18 Q Who was involved in that comparison?</p> <p>19 A When we did that, that would have been</p> <p>20 Todd Dooner and myself and counsel. Actually, before</p> <p>21 counsel, we did go through this before we even sat</p> <p>22 down with counsel.</p>	<p>95</p> <p>1 Q What particular modules were within that</p> <p>2 version 5.0?</p> <p>3 A Again, back then, it would have been</p> <p>4 Purchase Order and Requisition. And at that</p> <p>5 particular time in 5.0, Requisitions Self-Service and</p> <p>6 Procurement Punchout did not exist. Additionally</p> <p>7 with those, I was just thinking there's another</p> <p>8 module that's used a little bit to provide some setup</p> <p>9 information and stuff, and that's our inventory</p> <p>10 control, IC, which I probably forgot to mention</p> <p>11 earlier this morning.</p> <p>12 Q Did you, in connection with comparing the</p> <p>13 current versions of the products to the patent</p> <p>14 claims, did you also take into account the Inventory</p> <p>15 Control module?</p> <p>16 A Yes, we did.</p> <p>17 (Christopherson Exhibit 4 was marked for</p> <p>18 identification and attached to the deposition</p> <p>19 transcript.)</p> <p>20 BY MS. ALBERT:</p> <p>21 Q Let me show you what's been marked as</p> <p>22 Christopherson Exhibit 4. And it's a copy of United</p>
<p>94</p> <p>1 Q Did you prepare any notes or any</p> <p>2 documentation relating to your comparison of the</p> <p>3 products to the patent claims?</p> <p>4 A Counsel did.</p> <p>5 Q So when you engaged in that comparison</p> <p>6 prior to your meeting with counsel, did you and</p> <p>7 Mr. Dooner take any notes or prepare any</p> <p>8 documentation relating to that?</p> <p>9 A No, uh-uh. Absolutely not.</p> <p>10 Q Why do you say "absolutely not"?</p> <p>11 A I remember sitting -- Todd is a pretty</p> <p>12 informal individual. We're sitting over a -- very</p> <p>13 casually around his work space, and we were just</p> <p>14 having a discussion of, here's the patents, do we --</p> <p>15 looking at -- did we go through claim 1, claim 2,</p> <p>16 claim 3, claim 4? No. Did we go through some of the</p> <p>17 claims and say, does our product do this?</p> <p>18 Q Did you compare any other versions of the</p> <p>19 product to the patent claims?</p> <p>20 A Yes.</p> <p>21 Q What versions were those?</p> <p>22 A I believe that was version 5.0.</p>	<p>96</p> <p>1 States Patent Number 6,055,516.</p> <p>2 A Thank you.</p> <p>3 Q Have you seen this patent before today?</p> <p>4 A Yes, I have.</p> <p>5 Q When did you first see this patent, '516</p> <p>6 patent?</p> <p>7 A If not the same time, approximately the</p> <p>8 same time as the '683 patent.</p> <p>9 Q Did you perform any comparison of the</p> <p>10 functions, features, or characteristics of any Lawson</p> <p>11 product with any claim or any element of any claim in</p> <p>12 the '516 patent?</p> <p>13 A Yes.</p> <p>14 Q What claims did you compare, use for your</p> <p>15 comparison?</p> <p>16 A I'm pretty sure that we went through</p> <p>17 almost all of those, again.</p> <p>18 Q And did you compare the current versions</p> <p>19 of the procurement modules, including the</p> <p>20 Requisitions module, the Purchase Order module,</p> <p>21 Inventory Control module, Requisitions Self-Service</p> <p>22 module, and Procurement Punchout module, to these</p>

<p>97</p> <p>1 claims in the '516 patent?</p> <p>2 A Current version, yes.</p> <p>3 Q Did you also perform a comparison of the</p> <p>4 version 5.0 modules to the claims of the '516 patent?</p> <p>5 A Yes.</p> <p>6 Q Did you reach any conclusion with respect</p> <p>7 to the version 5.0 products, whether those products</p> <p>8 satisfied the elements of the '516 patent claims?</p> <p>9 MR. SCHULTZ: I'll lodge an objection here</p> <p>10 to the extent it calls for attorney-client privilege,</p> <p>11 which we have not waived at this point.</p> <p>12 THE WITNESS: Clearly all the discussions</p> <p>13 that we had with attorneys, that is still privileged</p> <p>14 information. The discussions that Todd and I had by</p> <p>15 ourselves, we did not see where we were doing that</p> <p>16 within the patent, within the '516 patent.</p> <p>17 BY MS. ALBERT:</p> <p>18 Q What about -- I think my question was with</p> <p>19 respect to the version 5.0 modules. Did you make any</p> <p>20 conclusions whether those modules satisfied the</p> <p>21 elements of the '516 claims?</p> <p>22 A There was -- and again, because there's</p>	<p>99</p> <p>1 A Sure.</p> <p>2 (Christopherson Exhibit 5 was marked for</p> <p>3 identification and attached to the deposition</p> <p>4 transcript.)</p> <p>5 BY MS. ALBERT:</p> <p>6 Q Have you seen the '172 patent marked as</p> <p>7 Christopherson Exhibit 5 prior to today?</p> <p>8 A Yes.</p> <p>9 Q And when did you first see this patent?</p> <p>10 A It would have been the same time as the</p> <p>11 other two, so in May.</p> <p>12 Q Did you also perform a comparison of the</p> <p>13 current procurement modules to the claims of the '172</p> <p>14 patent?</p> <p>15 A Yes.</p> <p>16 Q And did you also perform a comparison of</p> <p>17 the features of the version 5.0 modules to the claims</p> <p>18 of the '172 patent?</p> <p>19 A Yes.</p> <p>20 Q Did you prepare any documentation of your</p> <p>21 comparisons -- well, let me just end the question</p> <p>22 there.</p>
<p>98</p> <p>1 actually three patents involved, and I don't remember</p> <p>2 how many claims, but we're not talking about ten or</p> <p>3 20, 30 claims total, in fact there are quite a few of</p> <p>4 those in the interrogatory that we did produce that</p> <p>5 does walk through this. And as far as you were</p> <p>6 talking about prior art, which the 5.0 module would</p> <p>7 be prior art since that was done pre-'93, if you want</p> <p>8 to pull that out, we can look at that and go over it.</p> <p>9 If I recall, that's at least 100 to maybe</p> <p>10 200 pages. So for me to go through every one, I'm</p> <p>11 not going to be able to do that here off the top of</p> <p>12 my head.</p> <p>13 Q Okay. We might get to that a little bit</p> <p>14 later.</p> <p>15 A Okay.</p> <p>16 Q Just so we have it in the record, I've</p> <p>17 marked -- had the reporter mark as Christopherson</p> <p>18 Exhibit 5 a copy of United States Patent 6,505,172.</p> <p>19 And I'll just indicate, I think from a prior</p> <p>20 litigation, it has a confidentiality legend that was</p> <p>21 put on there by our opponents. And this is obviously</p> <p>22 a public document, and it's not confidential.</p>	<p>100</p> <p>1 A There clearly was -- I do not recall,</p> <p>2 again, going back to the interrogatory, I'm not sure</p> <p>3 if we've got something that addresses that in the</p> <p>4 interrogatory or not. So some would be there. The</p> <p>5 rest of that that would have been done would have</p> <p>6 been part of privileged information with counsel.</p> <p>7 Q Has Lawson taken any steps or made any</p> <p>8 efforts to avoid infringement of the ePlus patents</p> <p>9 since the filing of the lawsuit?</p> <p>10 A One of the things that we did do was then</p> <p>11 look at our current -- we call it road map, but it's</p> <p>12 essentially, what are all the enhancements that are</p> <p>13 going into our product, and would anything that we</p> <p>14 were doing perhaps create an even bigger issue</p> <p>15 between the two companies, was there something on our</p> <p>16 road map that we were doing that maybe we should just</p> <p>17 hold off doing.</p> <p>18 And there was two specific enhancement</p> <p>19 requests. One was in the very late stages of beta</p> <p>20 test, and the other one was just simply an idea, a</p> <p>21 concept, hadn't been moved into a design stage or</p> <p>22 anything at that point. And we decided that both of</p>

<p>101</p> <p>1 those, until we had something from legal on that,</p> <p>2 that we wouldn't go forward with those.</p> <p>3 Q What are the nature of those two</p> <p>4 enhancements?</p> <p>5 A We'll talk about the one which is just an</p> <p>6 idea stage. And that was going to allow the user,</p> <p>7 the end user, the requester of items, to be able to</p> <p>8 search across multiple punchout sites, so they would</p> <p>9 be able to search across Dell's website, if they had</p> <p>10 access to Dell's website, and -- actually Dell may</p> <p>11 not a great example, because we don't have another</p> <p>12 partner like that.</p> <p>13 Office Depot and Staples. So if you</p> <p>14 wanted to search for black ballpoint pens, you could</p> <p>15 search -- the concept was, you could search off of</p> <p>16 both sites at the same time to see what they had.</p> <p>17 Today we allow you to just connect to one at any</p> <p>18 time.</p> <p>19 Q So you made a determination that that</p> <p>20 could -- if you implemented that idea currently, that</p> <p>21 could increase the level of animosity between the two</p> <p>22 companies?</p>	<p>103</p> <p>1 item number. Within the company that actually has</p> <p>2 these -- if they've got, let's say, ballpoint pens in</p> <p>3 the supply room, they may have an item number.</p> <p>4 You've got all these item numbers. It</p> <p>5 might be UPCs, it might be five, six, seven item</p> <p>6 numbers, all referring to the same thing. And it</p> <p>7 gets confusing. So what was happening was with</p> <p>8 SciQuest and only SciQuest, okay, they were going to</p> <p>9 have what was called -- the customer's item number</p> <p>10 from Cleveland Clinic was the specific customer we</p> <p>11 were working with. Their item number they were going</p> <p>12 to host at their site.</p> <p>13 And they were going to return that back</p> <p>14 through our communication mechanism.</p> <p>15 Q Has Lawson undertaken any efforts to</p> <p>16 redesign or modify any of its existing products or</p> <p>17 applications since the filing of the lawsuit by</p> <p>18 ePlus?</p> <p>19 A Can you restate that?</p> <p>20 Q Has Lawson undertaken any efforts to</p> <p>21 redesign or make modifications to any of the existing</p> <p>22 products or applications since the filing of this</p>
<p>102</p> <p>1 MR. SCHULTZ: Before you answer, to the</p> <p>2 extent that you had any conversations with your</p> <p>3 counsel regarding this, I would ask that you not</p> <p>4 answer that. You may answer to the extent that</p> <p>5 you're not answering attorney-client privilege.</p> <p>6 THE WITNESS: Right. Thank you. On that</p> <p>7 particular one, then that's all privileged</p> <p>8 information.</p> <p>9 BY MS. ALBERT:</p> <p>10 Q What was the nature of the second</p> <p>11 enhancement that you decided to hold back?</p> <p>12 MR. SCHULTZ: Again, same caution.</p> <p>13 THE WITNESS: The second one is also</p> <p>14 privileged information.</p> <p>15 BY MS. ALBERT:</p> <p>16 Q Does the functionality -- what was the</p> <p>17 functionality of the second enhancement?</p> <p>18 A The functionality of the second one, today</p> <p>19 an item can have multiple item numbers. When I say</p> <p>20 that, what I mean is the manufacturer may have an</p> <p>21 item number. The vendor who actually is selling the</p> <p>22 goods to the end user or the end company may have an</p>	<p>104</p> <p>1 lawsuit?</p> <p>2 A Yes.</p> <p>3 Q What are the nature of those redesign</p> <p>4 efforts or modifications?</p> <p>5 A Sure. Withinside of almost all the</p> <p>6 products that we've mentioned so far, with the</p> <p>7 exception of Procurement Punchout, which is simply</p> <p>8 nothing more than a communications protocol, there is</p> <p>9 a new standard that's come out that's going to be in</p> <p>10 the healthcare industry on identification numbers;</p> <p>11 Global Trade Identification Number. It essentially</p> <p>12 replaces the item number that I talked about how many</p> <p>13 different ones there could be.</p> <p>14 This gets to a global one that is unique</p> <p>15 to each manufactured good. That's scheduled to be in</p> <p>16 use by healthcare organizations in December of 2010.</p> <p>17 Obviously they need it before then. So starting over</p> <p>18 roughly a year ago we began to work with healthcare</p> <p>19 customers to provide that additional item number</p> <p>20 withinside of those products. So we've enhanced them</p> <p>21 to include that item number, along with what's also</p> <p>22 called a Global Location Number, GLN, all part of the</p>

<p>105</p> <p>1 GS1 data standards.</p> <p>2 And I'm not sure if you want me to keep</p> <p>3 going on in that area, but I can. But that's one</p> <p>4 significant enhancement that's coming out this fall.</p> <p>5 Other enhancements are -- tend to be much smaller.</p> <p>6 Our user community is requesting -- it may be at a</p> <p>7 field here that's already somewhere else in the</p> <p>8 database, but if we would like to see that in</p> <p>9 particular form, we add that.</p> <p>10 Q Has Lawson undertaken any efforts to</p> <p>11 modify or design its existing products specifically</p> <p>12 in order to avoid infringing the ePlus patents?</p> <p>13 A No.</p> <p>14 Q Within the S3 Supply Chain Management</p> <p>15 product suite, are there any modules that you</p> <p>16 consider to be essential to competing in the SCM</p> <p>17 market?</p> <p>18 A Say that again.</p> <p>19 Q Within the S3 Supply Chain Management</p> <p>20 product suite, are there any modules that you</p> <p>21 consider to be essential to competing in that market?</p> <p>22 A In the market, you defined it as SCM?</p>	<p>107</p> <p>1 important thing for them. There it's important to</p> <p>2 have Supply Chain for those particular customers in</p> <p>3 our space that we do -- if we want to do Supply Chain</p> <p>4 Management. We also offer financial production and</p> <p>5 we also offer HR products in those areas.</p> <p>6 Q Well, if you could no longer make and sell</p> <p>7 a Purchase Order module, could you effectively</p> <p>8 compete in the healthcare industry if the healthcare</p> <p>9 industry requires Supply Chain Management products?</p> <p>10 A Then no, uh-uh.</p> <p>11 Q What about if you could no longer make and</p> <p>12 sell a Punchout module, could you effectively compete</p> <p>13 for customers desiring Supply Chain Management type</p> <p>14 of products?</p> <p>15 A Today, absolutely.</p> <p>16 Q So do you consider a Punchout module not</p> <p>17 to be essential to supplying a Supply Chain</p> <p>18 Management functionality to a customer?</p> <p>19 A For some customers it's important. Not</p> <p>20 all customers. Most customers, it's not.</p> <p>21 Q Has Lawson implemented any contingency</p> <p>22 plans in the event that it's enjoined from selling</p>
<p>106</p> <p>1 Q Right.</p> <p>2 A Okay. I would say we don't go after the</p> <p>3 SCM market.</p> <p>4 Q So if Lawson could no longer make and sell</p> <p>5 a Requisitions module, could it still effectively</p> <p>6 compete in the Supply Chain Management product</p> <p>7 market?</p> <p>8 A The answer to that would be no.</p> <p>9 Q If Lawson could no longer make and sell a</p> <p>10 Requisitions Self-Service module, could it</p> <p>11 effectively compete in the Supply Chain Management</p> <p>12 market?</p> <p>13 A Again, I have an issue with the way you're</p> <p>14 defining the SCM market, because Lawson -- that's a</p> <p>15 way to horizontal -- what we call horizontally</p> <p>16 looking at a market space. So is Lawson out trying</p> <p>17 to sell SCM or Supply Chain Management to the world?</p> <p>18 No. Is Lawson trying to sell product solutions to</p> <p>19 certain industries? The answer is yes.</p> <p>20 So I mentioned healthcare, healthcare</p> <p>21 having the Global Trade Identification Number, the</p> <p>22 GTIN, and the GLN, Global Location Number, being an</p>	<p>108</p> <p>1 one or more of the S3 Supply Chain Management</p> <p>2 procurement modules?</p> <p>3 MR. SCHULTZ: I'll just caution you not to</p> <p>4 reveal any information that is subject to the</p> <p>5 attorney-client privilege.</p> <p>6 THE WITNESS: Again, that is privileged</p> <p>7 information, yes.</p> <p>8 BY MS. ALBERT:</p> <p>9 Q So you're going to take your counsel's</p> <p>10 instruction?</p> <p>11 A Yes, I am.</p> <p>12 Q Has Lawson agreed to replace any of its</p> <p>13 products that it has supplied to its customers in the</p> <p>14 event those products are enjoined because they are</p> <p>15 found to be infringing the ePlus patents?</p> <p>16 A I'm not aware --</p> <p>17 MR. SCHULTZ: Same caution.</p> <p>18 THE WITNESS: Okay.</p> <p>19 BY MS. ALBERT:</p> <p>20 Q Has Lawson agreed to indemnify any of its</p> <p>21 customers in the event that any of its products are</p> <p>22 found to infringe the ePlus patents?</p>

<p>109</p> <p>1 MR. SCHULTZ: Same caution.</p> <p>2 THE WITNESS: Mm-hmm. Again, that's</p> <p>3 privileged information.</p> <p>4 BY MS. ALBERT:</p> <p>5 Q I think earlier in the day I asked you for</p> <p>6 the names of all of the modules that are included</p> <p>7 within the S3 Supply Chain Management --</p> <p>8 A Mm-hmm.</p> <p>9 Q -- suite. And I think you talked about</p> <p>10 the Purchase Order module, correct?</p> <p>11 A Correct.</p> <p>12 Q The Inventory Control module?</p> <p>13 A Mm-hmm.</p> <p>14 Q The Warehouse module?</p> <p>15 A Mm-hmm.</p> <p>16 Q The various self-service modules including</p> <p>17 Vendor Self-Service, Requisitions Self-Service?</p> <p>18 A Mm-hmm.</p> <p>19 Q And Customer Self-Service. You also</p> <p>20 mentioned the EDI module and the Procurement Punchout</p> <p>21 module.</p> <p>22 A Mm-hmm.</p>	<p>111</p> <p>1 for. That's only a couple of years old, at this</p> <p>2 point, maybe 18 months. That's kept the same name.</p> <p>3 The only one I can think of that has gone</p> <p>4 through a couple of iterations of product slash name</p> <p>5 has been the Procurement Punchout.</p> <p>6 Q What was that product previously known as?</p> <p>7 A It's slipping my mind. I knew it earlier</p> <p>8 this morning. And that was in the 1999-2000 time</p> <p>9 frame. I can't think of it right now.</p> <p>10 Q Was it referred to as e-Procurement?</p> <p>11 A E-Procurement was one of the names at one</p> <p>12 point, yes. It's probably had maybe three or four</p> <p>13 names.</p> <p>14 Q So what was the first commercial</p> <p>15 availability of the functionality associated with</p> <p>16 Procurement Punchout?</p> <p>17 A What was?</p> <p>18 Q Yes, when was the first --</p> <p>19 A Oh, "when was."</p> <p>20 Q -- product having Punchout functionality</p> <p>21 commercially available?</p> <p>22 A I would say that's also in one of the</p>
<p>110</p> <p>1 Q Are there any other modules included</p> <p>2 within the S3 Supply Chain Management --</p> <p>3 A Did you mention -- I don't recall you just</p> <p>4 now mentioning Requisitions or not.</p> <p>5 Q I think I mentioned it.</p> <p>6 A If you didn't, Requisitions, okay.</p> <p>7 Q Have any of those modules ever been known</p> <p>8 by any different names?</p> <p>9 A Clearly I'm not -- Requisitions, Purchase</p> <p>10 Order, IC or Inventory Control, have been known as</p> <p>11 those names going back at least right around '90.</p> <p>12 Keep in mind Requisition came out in the early '90s.</p> <p>13 But they've kept those names for quite some time. I</p> <p>14 don't think they've ever changed names back into the</p> <p>15 '80s. With EDI, same thing, that's kept that</p> <p>16 particular name.</p> <p>17 Requisitions Self-Service, there may have</p> <p>18 been a name, perhaps in the early idea stages, but</p> <p>19 once it got to a branded name, this is what we will</p> <p>20 use. I'm pretty sure that has also kept the same</p> <p>21 name. Same with Vendor, Customer. P Card is another</p> <p>22 interface, Procurement Card is what P Card stands</p>	<p>112</p> <p>1 interrogatories, as far as the first version of</p> <p>2 Procurement Punchout, when that came out. I don't</p> <p>3 recall, again, interrogatories, I've signed hundreds</p> <p>4 of pages -- not signed hundreds of pages, but seen</p> <p>5 hundreds of pages that I had to sign for, so I don't</p> <p>6 recall the exact date. But sometime in the -- it was</p> <p>7 in the early 2000s. I just don't recall the exact</p> <p>8 year.</p> <p>9 Q What's the current version of the S3</p> <p>10 Supply Chain Management suite that's commercially</p> <p>11 available?</p> <p>12 A Generally we would refer to that as the</p> <p>13 9012 version. Some individual applications such as</p> <p>14 RSS will have a different version number, but it</p> <p>15 works with the 9013 -- or the 9012. 9012 is for the</p> <p>16 Lawson 4GL, that's procurement -- not procurement.</p> <p>17 That's Purchase Order, Inventory Control, and</p> <p>18 Requisition. And those are the big products.</p> <p>19 Q So when you're talking about these version</p> <p>20 numbers, there is a 9, then there's a decimal point,</p> <p>21 then there's a zero and a decimal point and a 1?</p> <p>22 A Yes.</p>

<p>113</p> <p>1 Q So the number to the very left, would that</p> <p>2 be the version number, 9?</p> <p>3 A When I speak version numbers, I speak</p> <p>4 three or four digits.</p> <p>5 Q What does the number to the right of the</p> <p>6 first decimal point indicate?</p> <p>7 A So the first one to the right, again,</p> <p>8 that's representative of a particular line. In this</p> <p>9 case the 9 line was a series of products working</p> <p>10 together that product management wanted as a branding</p> <p>11 item, to signify that these products work together.</p> <p>12 So that's 9. Zero is that first release of that.</p> <p>13 We've not had any significant changes within that.</p> <p>14 Q When was the version 9, when was version 9</p> <p>15 first commercially available?</p> <p>16 A Again, I believe that's in the</p> <p>17 interrogatories. We can go back and review those.</p> <p>18 Q You don't recall?</p> <p>19 A I can tell you that version 9 was</p> <p>20 somewhere after my return from England, when I worked</p> <p>21 in England for Lawson. And that would have been in</p> <p>22 the 2005-2006 time frame, version 9.0.0.</p>	<p>115</p> <p>1 Q What happens to the requisition once it's</p> <p>2 submitted?</p> <p>3 A Once it's submitted, then it typically</p> <p>4 would go through an approval process.</p> <p>5 Q Is that approval process included within</p> <p>6 the Requisitions module's functionality, that work</p> <p>7 flow?</p> <p>8 A Typically there is -- we have a Process</p> <p>9 Flow module which handles approvals for all of our</p> <p>10 products. So it would go through that approval</p> <p>11 process. And that's going to be set up depending on</p> <p>12 customers, what the customers wants.</p> <p>13 Q So you would have to get that Process --</p> <p>14 you would have to license that Process Flow module in</p> <p>15 addition to the Requisitions module?</p> <p>16 A That's correct, mm-hmm, if you want to go</p> <p>17 through a formal approval process with a computer</p> <p>18 system. You could print it out and go that route</p> <p>19 also.</p> <p>20 Q Can you describe for me at a high level</p> <p>21 the functionality of the Requisitions Self-Service</p> <p>22 module?</p>
<p>114</p> <p>1 Q Can you describe at a high level the</p> <p>2 functionality of the Lawson Requisitions module?</p> <p>3 A The Requisitions module? Sure. It allows</p> <p>4 a user -- and it's not normal that all people in a</p> <p>5 company would be using the product, but rather some</p> <p>6 trained individuals, it does require some training,</p> <p>7 might be the office administrator, someone of that</p> <p>8 nature. They're able to go in and request things</p> <p>9 that they need or their department maybe needs to</p> <p>10 perform their business.</p> <p>11 And there's two types of requests.</p> <p>12 Typically some items are just things that are in</p> <p>13 stock or in inventory, held in inventory withinside</p> <p>14 the company. So those items, they would request</p> <p>15 maybe a ballpoint pen, and if you're requesting one,</p> <p>16 and as long as one is back in the supply room, you</p> <p>17 can get that one.</p> <p>18 The other one would be that, okay, we</p> <p>19 don't normally stock these items, and as a result we</p> <p>20 have to special order these items. So it's a request</p> <p>21 to get items. It's not a -- it's not committing the</p> <p>22 company to actually get the items or to have them.</p>	<p>116</p> <p>1 A Sure. Requisitions Self-Service module,</p> <p>2 it works on top of the Requisitions module. I had</p> <p>3 mentioned, the Requisitions module requires training,</p> <p>4 it's not designed for every user. This is designed</p> <p>5 -- it's in our -- what we also call our self-evident</p> <p>6 applications, applications that require very minimal</p> <p>7 amount of training if any training. So it would be</p> <p>8 an application that everyone in a particular company</p> <p>9 would properly use to request things.</p> <p>10 So instead of having to go to the office</p> <p>11 administrator, anyone in the company could go with</p> <p>12 Requisitions Self-Service with a minimal amount of</p> <p>13 training and do the same basic thing, again, request</p> <p>14 things that are in inventory or special order items.</p> <p>15 That in turn, once they are done with creating -- we</p> <p>16 change terms, many times it means the same thing</p> <p>17 behind the scenes, but instead of creating a</p> <p>18 requisition, they're filling up a shopping cart.</p> <p>19 When they're done with their shopping cart and they</p> <p>20 want to check out, that means they're going to get</p> <p>21 approval.</p> <p>22 It's interacting with RQ, Requisitions,</p>

<p>117</p> <p>1 behind the scenes. It creates a requisition and then</p> <p>2 follows that process.</p> <p>3 Q Are there any functional differences</p> <p>4 between the current version of the Requisitions</p> <p>5 module, the 9.0.1 version, and the prior version of</p> <p>6 that module?</p> <p>7 A The 9.0.0 module?</p> <p>8 Q Well, going back into the 8s, 8 series</p> <p>9 versions.</p> <p>10 A I can't think of any. There's always</p> <p>11 enhancements that we're doing. Many of the</p> <p>12 enhancements are small, minor things, driven by the</p> <p>13 customer. The largest thing that we've done in</p> <p>14 recent history, the last few years, is the GTIN/GLN.</p> <p>15 Q Is there any kind of corporate convention</p> <p>16 for when you -- the type of enhancement or added</p> <p>17 functionality that's required to go from a version</p> <p>18 number that's to the left of the decimal point to</p> <p>19 another one, from like 8 to 9?</p> <p>20 A 8 to 9 would generally signify we want to</p> <p>21 do some rebranding at that point, which is</p> <p>22 significant in that it's now changing obviously a lot</p>	<p>119</p> <p>1 of S3 would move up to version 10.</p> <p>2 Otherwise from a customer standpoint,</p> <p>3 trying to keep in mind that version 10 of this works</p> <p>4 with version 8 of that, version 9 of that, it's</p> <p>5 too -- it becomes too confusing for them, let's just</p> <p>6 keep it simple.</p> <p>7 Q But at least with respect to the</p> <p>8 Requisitions module, you're not aware of any major</p> <p>9 functional differences between the immediately prior</p> <p>10 version in the 8 series and the first version 9</p> <p>11 version of that module; is that correct?</p> <p>12 A That's correct.</p> <p>13 Q And what about with respect to the</p> <p>14 Requisitions Self-Service module, are there any major</p> <p>15 functional differences between the last version 8</p> <p>16 version and the first version 9 version of that</p> <p>17 module?</p> <p>18 A Nothing that's causing it -- in fact I</p> <p>19 can't think of any time that Requisitions</p> <p>20 Self-Service has actually caused us to move the</p> <p>21 number. That's a much smaller product. And it</p> <p>22 works -- keep in mind -- it doesn't work by itself.</p>
<p>118</p> <p>1 of documentation, marketing brochures, things like</p> <p>2 that. So it's a pretty expensive endeavor for us to</p> <p>3 go. So that would be gearing for that first number</p> <p>4 primarily.</p> <p>5 Q It doesn't signify that there are major</p> <p>6 functional differences between version 8 and version</p> <p>7 9?</p> <p>8 A There generally would be. And that's</p> <p>9 what's causing obviously the branding change.</p> <p>10 Q So do you recall any functional</p> <p>11 differences between the immediately prior version in</p> <p>12 the 8 series and the first version 9 version of the</p> <p>13 Requisitions module?</p> <p>14 A That was more of a marketing, because</p> <p>15 we're changing the brand, and nothing that stood out</p> <p>16 that said this is why we have to create version 9.</p> <p>17 Keep in mind also that the products are integrated</p> <p>18 across all three suites, okay? So you might have</p> <p>19 something that changes maybe in the HR area which</p> <p>20 then causes us to, let's say, go to version 10, not</p> <p>21 that we're doing that now, but if that was -- so as a</p> <p>22 result the products across the entire -- across all</p>	<p>120</p> <p>1 It works on top of Requisition. So Requisitions</p> <p>2 would have had to have changed.</p> <p>3 Q Can you describe for me at a high level of</p> <p>4 functionality the Inventory Control module?</p> <p>5 A Inventory Control module, primarily you</p> <p>6 would use to set up items within our Item Master</p> <p>7 database, for items that you're going to have on</p> <p>8 inventory, and then to control how many do you</p> <p>9 actually have. So you might do periodic inventory to</p> <p>10 make sure that what your stock says is in the</p> <p>11 computer is actually what you do have.</p> <p>12 Q Does the Item Master include data on items</p> <p>13 other than those that you have in inventory?</p> <p>14 A It very well may.</p> <p>15 Q What other types of item data could be</p> <p>16 included in the Item Master besides data relating to</p> <p>17 items you have in inventory?</p> <p>18 A First we need to clarify, actually Lawson</p> <p>19 doesn't have any items. When we ship the product,</p> <p>20 there are zero items in the Item Master. So it's</p> <p>21 zero records in the database.</p> <p>22 Q Okay. So with respect to the means in</p>

<p>121</p> <p>1 which a Lawson customer would employ the Item Master,</p> <p>2 what types of item data could be included in the Item</p> <p>3 Master besides item data relating to items that the</p> <p>4 customer has in its inventory?</p> <p>5 A Right. It may be items that they</p> <p>6 occasionally purchase, that they don't want to have</p> <p>7 on inventory, maybe because it takes space. Maybe</p> <p>8 items that are a little more customized.</p> <p>9 Q Can they --</p> <p>10 A And that's going to depend -- that depends</p> <p>11 on the customer.</p> <p>12 Q Can they import a vendor's catalog into</p> <p>13 the Item Master?</p> <p>14 A Yes, they can. And the first thing I</p> <p>15 would do as a trusted advisor with the customer is</p> <p>16 ask them why they want to.</p> <p>17 Q Can they import -- well, let me strike</p> <p>18 that. Are you familiar with vendor agreements or</p> <p>19 agreements that a Lawson customer might have with</p> <p>20 particular vendors?</p> <p>21 A Mm-hmm.</p> <p>22 Q And the customer may negotiate an</p>	<p>123</p> <p>1 customer, a business that does not use requisitions.</p> <p>2 That used to be the way most companies worked back in</p> <p>3 the '70s and prior '80s. Most began to adopt</p> <p>4 requisitions in the '90s time frame. That is</p> <p>5 creating a commitment to go in, purchase an item or</p> <p>6 set of items or set of goods, whatever it might --</p> <p>7 services, from a vendor.</p> <p>8 So it would have a list of items, how</p> <p>9 many, and then who to go buy those from. In our</p> <p>10 particular case, today most use requisition, so we'll</p> <p>11 look at that as a separate case, and that would be</p> <p>12 that the requisition as it goes through, you wanted</p> <p>13 to buy certain things. Once that's gotten approved,</p> <p>14 it would take the approved requisition and then go</p> <p>15 ahead and create the purchase order or purchase</p> <p>16 orders that are required to fulfill on the</p> <p>17 requisition, if the item is not in stock.</p> <p>18 If the item is in stock, just get it off</p> <p>19 the stockroom, unless of course you need some from</p> <p>20 the stockroom, maybe you hit a minimum threshold of</p> <p>21 stocking levels and stuff, in which case the purchase</p> <p>22 order would go out.</p>
<p>122</p> <p>1 agreement with the vendor that the vendor is going to</p> <p>2 provide certain products at negotiated prices?</p> <p>3 A Correct.</p> <p>4 Q Could the Item Master -- could you import</p> <p>5 into the Item Master data relating to the items that</p> <p>6 you have under one of these vendor contracts?</p> <p>7 A Yes.</p> <p>8 Q Okay. Besides setting up items in the</p> <p>9 Item Master, what other functionality does the</p> <p>10 Inventory Control module have at a high level?</p> <p>11 A It's essentially keeping track of the</p> <p>12 inventory, where is the inventory at. You may have</p> <p>13 more than one supply room, you may have distribution</p> <p>14 centers, and what's the current stock level of those.</p> <p>15 Q Are there any functional differences</p> <p>16 between the current version of the Inventory Control</p> <p>17 module and the last version 8 version of that module?</p> <p>18 A No.</p> <p>19 Q Can you describe for me at a high level</p> <p>20 the functionality of the Purchase Order module?</p> <p>21 A Sure. Purchase Order module would -- a</p> <p>22 couple of ways you could do it. One, you may be a</p>	<p>124</p> <p>1 Q So the purchase order in that last</p> <p>2 scenario would work in conjunction with the</p> <p>3 Requisitions module and the Inventory Control module;</p> <p>4 is that correct?</p> <p>5 A Correct, yes. All of the modules are</p> <p>6 integrated.</p> <p>7 Q Are there any functional differences</p> <p>8 between the current version of the Purchase Order</p> <p>9 module and the prior or the last version 8 version of</p> <p>10 that module?</p> <p>11 A The biggest thing would be -- and same</p> <p>12 with IC, it's the GTIN/GLN, which that is a fairly</p> <p>13 significant change in all of our modules.</p> <p>14 Q That's the Global Trade Number --</p> <p>15 A Global Trade Identification Number and</p> <p>16 Global Location Number.</p> <p>17 Q Can you describe for me at a high level</p> <p>18 the functionality of the Procurement Punchout module?</p> <p>19 A Procurement Punchout, it essentially is</p> <p>20 nothing more than a communication system that allows</p> <p>21 to communicate outside of the Lawson Requisition</p> <p>22 system, Requisitions Self-Service specifically, using</p>

<p>125</p> <p>1 the cXML standard that was created back in 1999.</p> <p>2 It's used to communicate out to vendors, vendor</p> <p>3 websites.</p> <p>4 Q Is it used to -- for the vendors to</p> <p>5 communicate anything back to the Lawson application?</p> <p>6 A Not without first being queried. So if</p> <p>7 you take an interaction with, let's say, Office</p> <p>8 Depot, and I punchout Office Depot, and I see a</p> <p>9 website that looks like it's Office Depot's website,</p> <p>10 what items are there is between the customer and</p> <p>11 Office Depot. Maybe all of Office Depot. Usually</p> <p>12 it's not, it's a subset of those items.</p> <p>13 As you fill your shopping cart, and you</p> <p>14 decide to check out, it's not actually doing a</p> <p>15 checkout; it's returning all those items into our</p> <p>16 system, into the Requisitions Self-Service, to create</p> <p>17 a requisition.</p> <p>18 Q Are there any functional differences</p> <p>19 between the current version of the Procurement</p> <p>20 Punchout module and the last version 8 version of</p> <p>21 that module?</p> <p>22 A No. Uh-uh.</p>	<p>127</p> <p>1 A For the EDI module? Boy. I don't think</p> <p>2 so, but I'm not positive on that. I've never heard</p> <p>3 of that discussion. Brent Honedel is the EDI person.</p> <p>4 Q Who is that?</p> <p>5 A Brent Honedel, I mentioned him earlier,</p> <p>6 he's a software developer. He and I have never had</p> <p>7 that discussion, ever. So...</p> <p>8 Q Are there any functional differences</p> <p>9 between the current version of the EDI module and the</p> <p>10 last version 8 version of that module?</p> <p>11 A Except for GTIN/GLN, no.</p> <p>12 Q Can you describe for me at a high level</p> <p>13 the functionality of the Vendor Self-Service module?</p> <p>14 A Vendor Self-Service, it's sold so few as</p> <p>15 far as actually using it, as far as number of</p> <p>16 customers using it, I really can't. I could go and</p> <p>17 get that information if you want during a break or</p> <p>18 something. But...</p> <p>19 Q I might want you to look into that.</p> <p>20 A Can you --</p> <p>21 MR. SCHULTZ: We can do that.</p> <p>22 THE WITNESS: I've been over it before. I</p>
<p>126</p> <p>1 Q Can you describe for me at a high level</p> <p>2 the functionality of the EDI for Supply Chain</p> <p>3 Management module?</p> <p>4 A Sure. EDI works primarily with Purchase</p> <p>5 Order. And that goes back to a standard that was --</p> <p>6 I don't recall when it was created, but I know it was</p> <p>7 in existence into the '80s. It's another</p> <p>8 communication vehicle to send in this case purchase</p> <p>9 orders to vendors and then to get acknowledgment of</p> <p>10 receipt. So there's certain message formats that</p> <p>11 they exchange information; maybe advanced shipping</p> <p>12 notices, maybe delays in shipping.</p> <p>13 Receipts of the goods would go from the</p> <p>14 customer then back to the vendor.</p> <p>15 Q Have you ever heard of anything called an</p> <p>16 832 transaction?</p> <p>17 A That's an EDI transaction; which one</p> <p>18 specifically, I don't recall. There's a set of them.</p> <p>19 But hearing that number, that tells me right away</p> <p>20 that's an EDI transaction.</p> <p>21 Q Do you know if customers can use the EDI</p> <p>22 module for vendor catalog import?</p>	<p>128</p> <p>1 just don't recall. It's one of those products that's</p> <p>2 used so very, very minor.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q What was the first version of the</p> <p>5 Requisitions Self-Service module that was</p> <p>6 commercially available?</p> <p>7 A That is in the interrogatories also, so if</p> <p>8 you were to pull those out, we could go over that.</p> <p>9 It was somewhere in the late '90s. It would have</p> <p>10 been version probably 7 something, but I don't know</p> <p>11 what the second digit would have been.</p> <p>12 Q How frequently does Lawson issue new</p> <p>13 versions of the modules in the Supply Chain</p> <p>14 Management suite?</p> <p>15 A Currently we come up with what we call</p> <p>16 maintenance service packs, which do include</p> <p>17 enhancements approximately twice a year.</p> <p>18 Q What's the next scheduled service pack</p> <p>19 release date?</p> <p>20 A Later on this month.</p> <p>21 Q Can you recall any specific enhancements</p> <p>22 that are going to be included in that service pack?</p>

<p>129</p> <p>1 A For Supply Chain Management, the largest</p> <p>2 area is the GTIN/GLN. There's another area, if I had</p> <p>3 time to think more on this, to reflect more on it, a</p> <p>4 significant one is interfacing our M3 EAM, Enterprise</p> <p>5 Asset Management product, into the Supply Chain</p> <p>6 product.</p> <p>7 What Enterprise Asset Management does is,</p> <p>8 let's say you've got a fleet of cars, and you want</p> <p>9 to -- you've got to do oil changes on them. Well, if</p> <p>10 you know these vehicles are coming up for oil</p> <p>11 changes, then let's make sure we have the supplies to</p> <p>12 do the oil changes. So it does the requisitions. It</p> <p>13 sends over that we need to do an oil change, thus we</p> <p>14 need to create the purchase order, the requisition</p> <p>15 purchase order for those.</p> <p>16 Q So you're going to interface the M3 --</p> <p>17 A EAM.</p> <p>18 Q -- EAM with the S3 Supply Chain Management</p> <p>19 products?</p> <p>20 A Correct, mm-hmm.</p> <p>21 Q This one's going to build muscles.</p> <p>22 A I'm waiting for you to pick up a box over</p>	<p>131</p> <p>1 actually have input into it. Clearly the technical</p> <p>2 writers are taking the input and putting it into the</p> <p>3 right format. But the rough draft words would come</p> <p>4 from the developers themselves, and also the business</p> <p>5 analysts. And then the QA team is also going to get</p> <p>6 an opportunity to review what's going into this. So</p> <p>7 it's a fairly large team effort.</p> <p>8 Q Are any approvals needed before the guide</p> <p>9 can be published?</p> <p>10 A Before the technical writer goes out with</p> <p>11 it, they're generally looking to get concurrence --</p> <p>12 when you say -- "approvals" might be a bit strong,</p> <p>13 but they're getting concurrence from the development</p> <p>14 team, that this does reflect what they've actually</p> <p>15 had many -- probably several meetings, maybe some</p> <p>16 e-mails, but that reflects the changes that have</p> <p>17 occurred since the last one.</p> <p>18 Q Where is this document maintained after</p> <p>19 it's prepared?</p> <p>20 A There is a central system that the</p> <p>21 information development or technical writers have</p> <p>22 that they keep all of the words, because some of the</p>
<p>130</p> <p>1 there.</p> <p>2 Q I can do it.</p> <p>3 MS. ALBERT: Let me have the reporter mark</p> <p>4 as Christopherson Exhibit 6 a copy of a document</p> <p>5 entitled "Requisitions User Guide Version 9.0.1." It</p> <p>6 has Bates numbers L 0061098 through 299.</p> <p>7 (Christopherson Exhibit 6 was marked for</p> <p>8 identification and attached to the deposition</p> <p>9 transcript.)</p> <p>10 BY MS. ALBERT:</p> <p>11 Q Are you familiar with the document that's</p> <p>12 been marked as Christopherson Exhibit 6?</p> <p>13 A Sure.</p> <p>14 Q What is it?</p> <p>15 A It's a user's guide for the requisitions</p> <p>16 for the RQ product.</p> <p>17 Q Is this a standard type of documentation</p> <p>18 that Lawson publishes with respect to its products?</p> <p>19 A Looks like some of the typical format that</p> <p>20 I've seen many, many times.</p> <p>21 Q Who authors this guide?</p> <p>22 A It's a combination of people would</p>	<p>132</p> <p>1 words, say a particular paragraph, might be used in</p> <p>2 multiple documents.</p> <p>3 Q What's the purpose of the Requisitions</p> <p>4 user guide?</p> <p>5 A It's to provide -- "high level" might be a</p> <p>6 little bit -- it's clearly more than a high level,</p> <p>7 but provides a good background as far as how all of</p> <p>8 the different programs within a requisition are used</p> <p>9 and how they work in conjunction with each other, and</p> <p>10 a lot of the options on the specific screens and how</p> <p>11 they work.</p> <p>12 Q To whom is this guide disseminated?</p> <p>13 A This guide, it's not pushed to anyone.</p> <p>14 It's made available to customers on our download site</p> <p>15 just as the product download that we talked earlier</p> <p>16 this morning.</p> <p>17 Q So this guide would be available at the</p> <p>18 MyLawson or --</p> <p>19 A Yes, under MyLawson.com.</p> <p>20 Q How long is a particular guide retained on</p> <p>21 the site?</p> <p>22 A I could not say offhand how long it's</p>

<p>133</p> <p>1 actually on that particular site.</p> <p>2 Q Well, if a customer had a prior version of</p> <p>3 the Requisitions module that it was using, hadn't</p> <p>4 upgraded to the most recent version, would it be able</p> <p>5 to find prior versions of the user guide on MyLawson?</p> <p>6 A Generally you're going to find prior</p> <p>7 versions. I mean, it's clearly to the point where we</p> <p>8 decommission releases. And once it's decommissioned,</p> <p>9 then I wouldn't expect it to be out there for very</p> <p>10 long after that.</p> <p>11 Q Are any other type of guides provided for</p> <p>12 the Requisitions module in addition to the</p> <p>13 Requisitions user guide?</p> <p>14 A For the module itself? There may be a</p> <p>15 module that discusses file formats, particularly for</p> <p>16 files going -- in and outbound files for importing</p> <p>17 and exporting. Again, that's maybe. It may also be</p> <p>18 discussed in here. I have not looked in detail in</p> <p>19 this. Clearly an installation -- but Requisitions</p> <p>20 isn't installed by itself, but it's part of the</p> <p>21 overall package, so there's an install guide, how to</p> <p>22 install the Lawson 4GL products.</p>	<p>135</p> <p>1 Q So for most situations where a customer</p> <p>2 licenses the Supply Chain Management suite or the</p> <p>3 procurement modules of the Supply Chain Management</p> <p>4 suite, is Lawson -- Lawson Professional Services</p> <p>5 going to provide the actual installation and</p> <p>6 implementation services for that?</p> <p>7 A Yes.</p> <p>8 Q Do you know in what percentage the Lawson</p> <p>9 Professional Services team provides the installation</p> <p>10 and implementation services in connection with new</p> <p>11 licensees for the procurement modules of the Supply</p> <p>12 Chain Management products?</p> <p>13 A No, I don't.</p> <p>14 Q Who would know that?</p> <p>15 A Someone obviously in our services team</p> <p>16 would know that. Who specifically, I couldn't...</p> <p>17 Q Who would you call if you had to find out</p> <p>18 the answer to that?</p> <p>19 A Since you're talking about just the</p> <p>20 procurement area, I would probably have a discussion</p> <p>21 with Keith Lohkamp to see if he might lead me in a</p> <p>22 particular direction maybe on that. I might also</p>
<p>134</p> <p>1 Q Is that installation guide specific to the</p> <p>2 Requisitions module, or would there be an</p> <p>3 installation guide that would cover installation of</p> <p>4 the entire Supply Chain Management suite?</p> <p>5 A It wouldn't even cover -- it would cover</p> <p>6 more than the Supply Chain Management. It would</p> <p>7 cover all of the S3 fourth generation language or 4GL</p> <p>8 products. So the HR and the Financial products also.</p> <p>9 Q Is there any kind of configuration guide?</p> <p>10 A Configuration as far as...</p> <p>11 Q Or a system integrator's guide or</p> <p>12 something like that?</p> <p>13 A Some of that information we actually don't</p> <p>14 document very detailed, because that's obviously what</p> <p>15 we're trying to drive services off of. So we have a</p> <p>16 lot of technical exchange with services people. Take</p> <p>17 the install guide, even. The install guide, you can</p> <p>18 install the product in a lot of different ways. It's</p> <p>19 very high level. It's not set up for the untrained</p> <p>20 person to go and install it. It's a good guide to</p> <p>21 help someone who's been trained as nice reminders of</p> <p>22 all the major steps to do.</p>	<p>136</p> <p>1 talk to Mark Deutsch on that.</p> <p>2 Q What's Mr. Deutsch's position?</p> <p>3 A He works in our services team. I'm not</p> <p>4 sure if he's a director or manager. He's been at</p> <p>5 Lawson greater than one decade, maybe two decades, in</p> <p>6 services and stuff. So he's worked a lot of customer</p> <p>7 sites. And he's on the technical side that does</p> <p>8 installations and stuff. So he manages some of the</p> <p>9 teams that go out and do that. He would lead me at</p> <p>10 least in the right direction, where to get the</p> <p>11 information.</p> <p>12 Q Are there any types of training manuals</p> <p>13 provided for the Requisitions module?</p> <p>14 A Training manuals, no. There's not.</p> <p>15 Q Are there any training or educational</p> <p>16 materials provided to customers who license the</p> <p>17 Requisitions module?</p> <p>18 A There is some high level training that's</p> <p>19 available. A lot of times the customers actually --</p> <p>20 they've got the process the way they want to run it.</p> <p>21 So it's really tailored for the customer. So our</p> <p>22 services team may work with the customer and may</p>

<p>137</p> <p>1 actually create a training manual, or the customer</p> <p>2 may create one.</p> <p>3 So it's not like we're coming in and</p> <p>4 saying you have to do A, B, C, D, E, F, as far as</p> <p>5 your process. It's tailorable. And thus why train</p> <p>6 you on everything, let's just focus on, here's --</p> <p>7 you're going to do A, then you're going to do F, then</p> <p>8 you're going to do M.</p> <p>9 Q So you said there's some high level</p> <p>10 training available. Where is that made available?</p> <p>11 A That would have been the Lawson</p> <p>12 Learning -- actually they do it through Professional</p> <p>13 Services.</p> <p>14 Q And is it available on the online</p> <p>15 learning, or in the Online Learning Library?</p> <p>16 A I know that there are some actual classes</p> <p>17 that are conducted. Whether or not they're the same</p> <p>18 as some of the online learnings, I'm not aware if</p> <p>19 they are or not. I suspect they are probably not.</p> <p>20 MS. ALBERT: Counsel, we would request</p> <p>21 that you produce all materials of this type, the</p> <p>22 training materials, the educational materials, any</p>	<p>139</p> <p>1 Requisitions. We have what's also called subsystems.</p> <p>2 So if you install Requisitions and you didn't</p> <p>3 purchase everything on the diagram, and let's say you</p> <p>4 wanted -- that was needed to run Requisitions, it</p> <p>5 would install the pieces that it would need for</p> <p>6 those, so it might be bits and pieces of the</p> <p>7 database, to have a full database view.</p> <p>8 It might be some setup screens from some</p> <p>9 of the other programs.</p> <p>10 Q So would you need to license those other</p> <p>11 programs?</p> <p>12 A No. Uh-uh.</p> <p>13 Q So Lawson would just license the</p> <p>14 Requisitions module separately but yet provide the</p> <p>15 customer with the functionality that they would need</p> <p>16 on the other?</p> <p>17 A If we sold Requisitions separately, and</p> <p>18 I'm not sure if we do.</p> <p>19 Q Who would you ask to find out if you sold</p> <p>20 Requisitions separately?</p> <p>21 A I could go myself and go figure that one</p> <p>22 out myself.</p>
<p>138</p> <p>1 educational videos, seminars, anything of that</p> <p>2 nature, related to the procurement modules of the S3</p> <p>3 Supply Chain Management suite, as well as the</p> <p>4 procurement modules of the M3 Supply Chain Management</p> <p>5 suite. We haven't seen anything of that nature.</p> <p>6 MR. SCHULTZ: My understanding is that</p> <p>7 information has been produced. I will double check</p> <p>8 on that for you, though.</p> <p>9 MS. ALBERT: Okay. Thank you.</p> <p>10 BY MS. ALBERT:</p> <p>11 Q Can you turn to page 13 of Exhibit 6.</p> <p>12 A Okay.</p> <p>13 Q Do you see the heading on that page</p> <p>14 entitled "How Requisitions integrates with other</p> <p>15 applications"?</p> <p>16 A Correct.</p> <p>17 Q And then there's the diagram provided?</p> <p>18 A Mm-hmm.</p> <p>19 Q Do you need to install the Purchase Order</p> <p>20 module in order to use the Requisitions module?</p> <p>21 A One would generally have it installed.</p> <p>22 Now, with all of these -- for instance, take</p>	<p>140</p> <p>1 Q How would you figure that out?</p> <p>2 A I would go and look at our product</p> <p>3 availability matrix. I would look -- the next thing</p> <p>4 would be -- probably product order form would be</p> <p>5 another one, a blank one of those. And then if I</p> <p>6 still couldn't get the answer or not sure of the</p> <p>7 answer, then I would go at that point to talk to the</p> <p>8 release manager.</p> <p>9 Q Who is the release manager that you would</p> <p>10 need to talk to in this instance?</p> <p>11 A In this case I would go talk to Deb</p> <p>12 Hoitomt.</p> <p>13 Q Do you need to install the Inventory</p> <p>14 Control module in order to use the Requisitions</p> <p>15 module?</p> <p>16 A You certainly -- normally, typically you</p> <p>17 would have it there. Again, it needs part of it.</p> <p>18 Q You would need Item Master set up?</p> <p>19 A Item Master is a good example, yes.</p> <p>20 Q Could you turn to the next page, page 14,</p> <p>21 that's Bates numbered L 0061111.</p> <p>22 A Mm-hmm.</p>

<p>141</p> <p>1 Q Do you see under the heading "Purchase</p> <p>2 Order," it reads, "The Requisitions application sends</p> <p>3 order requests for goods or services to the Purchase</p> <p>4 Order application"? Do you see that?</p> <p>5 A Mm-hmm.</p> <p>6 Q Is an order request the same thing as a</p> <p>7 requisition?</p> <p>8 A Yes.</p> <p>9 Q And then the next sentence after that</p> <p>10 reads, "Purchase orders can then be created</p> <p>11 automatically to fill the order." So if you had</p> <p>12 installed the Purchase Order module, would the</p> <p>13 Requisitions application automatically route an order</p> <p>14 request to the Purchase Order application to have the</p> <p>15 Purchase Order application create the order?</p> <p>16 A Yes.</p> <p>17 Q Could you turn to page 63, bearing the</p> <p>18 Bates number L 0061160.</p> <p>19 A Okay.</p> <p>20 Q Do you see under the heading "What is a</p> <p>21 price agreement," the first sentence reads, "A price</p> <p>22 agreement is a pricing tool set up in the Purchase</p>	<p>143</p> <p>1 A Those items could be loaded. That's going</p> <p>2 to depend on the customer and stuff. They need to</p> <p>3 look and obviously see, is that what they want in</p> <p>4 their Item Master or not.</p> <p>5 Q So the database then it could get loaded</p> <p>6 into would be the Item Master?</p> <p>7 A Yes.</p> <p>8 Q Do you need to have the Purchase Order</p> <p>9 application installed in order to use this feature?</p> <p>10 A Let's see. Again, Purchase Order is</p> <p>11 generally sold along with Requisitions typically and</p> <p>12 stuff. So it would be very common to have that.</p> <p>13 Q Can you turn to page 68.</p> <p>14 A Okay.</p> <p>15 Q And the top heading on that page reads,</p> <p>16 "What are the requisition creation methods?" And</p> <p>17 then there are a number of different requisition</p> <p>18 creation methods. Can you create a requisition by a</p> <p>19 catalog search in the Requisitions module?</p> <p>20 A What's a catalog?</p> <p>21 Q Can you create a requisition by searching</p> <p>22 the Item Master for an item?</p>
<p>142</p> <p>1 Order application that provides the item, cost (unit</p> <p>2 cost per purchase order and requisition lines)." Is</p> <p>3 that price agreement what we referred to earlier as</p> <p>4 the vendor contract?</p> <p>5 A Yes. Mm-hmm.</p> <p>6 Q Under the heading "Catalog or quote price</p> <p>7 agreement," that text reads, "A catalog or quote</p> <p>8 price agreement is a list of items and unit costs</p> <p>9 supplied by a vendor." So how is this information</p> <p>10 provided to the Lawson system user by the vendor for</p> <p>11 a catalog or quote price agreement?</p> <p>12 A How does the vendor provide it to the</p> <p>13 customer, is that your question?</p> <p>14 Q Correct.</p> <p>15 A That's between those two parties.</p> <p>16 Q Does Lawson have any recommended format?</p> <p>17 A No. Not a recommended format.</p> <p>18 Q If a vendor supplies that catalog or quote</p> <p>19 price agreement with the list of items and prices,</p> <p>20 does that list of vendor items and prices get</p> <p>21 downloaded into some sort of database associated with</p> <p>22 the Requisitions module?</p>	<p>144</p> <p>1 A You can create by searching items in an</p> <p>2 Item Master, yes.</p> <p>3 Q Can you create a requisition by searching</p> <p>4 for a vendor's catalog items provided pursuant to a</p> <p>5 catalog price agreement that were loaded into the</p> <p>6 Item Master?</p> <p>7 A I can't search off of vendors, and I can't</p> <p>8 search off of vendor item numbers inside of a</p> <p>9 requisition.</p> <p>10 Q What can you search off of?</p> <p>11 A Item description, the item number,</p> <p>12 location. There's roughly less than a dozen ways you</p> <p>13 can search. And I don't recall what all those are</p> <p>14 off the top of my head.</p> <p>15 Q Where would you go to find out all the</p> <p>16 different search techniques that are available?</p> <p>17 A A couple of different ways I'd go. I</p> <p>18 could either just bring up the screen and look at a</p> <p>19 requisition screen. And it's got a dropdown list of</p> <p>20 what those capabilities are.</p> <p>21 Q Is there any other place that you would</p> <p>22 find out that information, for example in the guide?</p>

<p>145</p> <p>1 A It may be in the guide. I would also talk</p> <p>2 to -- the business analysts would know. The</p> <p>3 developers would also know.</p> <p>4 Q What business analysts would you talk to?</p> <p>5 A I would talk to Jill, Jill Richardson, who</p> <p>6 we talked about earlier.</p> <p>7 Q And what developers would you talk to?</p> <p>8 A I would talk to anyone that's on my team</p> <p>9 as far as the Supply Chain Management.</p> <p>10 Q So who would those be?</p> <p>11 A Any of the previous ones we talked about</p> <p>12 earlier, so Todd, Tim, Keith. I wouldn't talk to the</p> <p>13 people who specialize in punchout media, because they</p> <p>14 specialize in that. That's Dwight and Brent.</p> <p>15 MS. ALBERT: Is now a good time to take a</p> <p>16 break for lunch?</p> <p>17 MR. SCHULTZ: Now is a good time.</p> <p>18 THE VIDEOGRAPHER: We're going off the</p> <p>19 record. The time is 1:00 p.m.</p> <p>20 (Whereupon, at 1:00 p.m., a lunch recess</p> <p>21 was taken.)</p> <p>22</p>	<p>147</p> <p>1 guide?</p> <p>2 A Yes. Mm-hmm.</p> <p>3 Q How can you tell?</p> <p>4 A The publish data being May of 2009. And</p> <p>5 there hadn't been a release since then.</p> <p>6 Q If you look back at Christopherson Exhibit</p> <p>7 6, that has a publish date of November 2008.</p> <p>8 A Mm-hmm.</p> <p>9 Q Do you know why they would have different</p> <p>10 publication dates?</p> <p>11 A The -- let's see. 9.0.1 actually first</p> <p>12 came out in the 2008 time frame and stuff. Now,</p> <p>13 Requisitions, or what we call RQ, that's part of the</p> <p>14 4GL, so that's what drives the numbers, the 9.0.1.</p> <p>15 Now, the 9.0.1, for a Requisitions Self-Service, that</p> <p>16 particular version happens to support multiple</p> <p>17 versions. And when they came out with that, then</p> <p>18 they came out with a new manual. It was backwards</p> <p>19 compatible.</p> <p>20 Q Who is responsible for this particular</p> <p>21 guide?</p> <p>22 A Again, it would be the technical writer</p>
<p>146</p> <p>1 AFTERNOON SESSION</p> <p>2 (1:41 p.m.)</p> <p>3 THE VIDEOGRAPHER: We're now back on the</p> <p>4 record. The time is 1:41 p.m.</p> <p>5 (Christopherson Exhibit 7 was marked for</p> <p>6 identification and attached to the deposition</p> <p>7 transcript.)</p> <p>8 BY MS. ALBERT:</p> <p>9 Q Mr. Christopherson, I'm handing you what's</p> <p>10 been marked as Christopherson Exhibit 7. It's</p> <p>11 entitled "Lawson Requisitions Self-Service User Guide</p> <p>12 Version 9.0.1." It bears production numbers L</p> <p>13 0045474 through 553. Take a minute to look at it,</p> <p>14 and then I'll ask you some questions.</p> <p>15 A Okay.</p> <p>16 Q Are you familiar with the document that's</p> <p>17 been marked as Christopherson Exhibit 7?</p> <p>18 A Yes, I am.</p> <p>19 Q What is it?</p> <p>20 A It's the Requisitions Self-Service user</p> <p>21 guide, or we call it the RSS user guide.</p> <p>22 Q Is this the most recent version of the</p>	<p>148</p> <p>1 who pulls all the documentation together. The input</p> <p>2 would come from the business analysts; the developer,</p> <p>3 which is Todd Dooner; and then also QA would have an</p> <p>4 opportunity to review that material.</p> <p>5 Q What's the purpose of this guide?</p> <p>6 A It's to provide a high level framework of</p> <p>7 what Requisitions Self-Service is used for and how to</p> <p>8 basically use it.</p> <p>9 Q And to whom are these guides made</p> <p>10 available?</p> <p>11 A They're made out to -- available to</p> <p>12 customers who purchase the product.</p> <p>13 Q Are there any other guides that are</p> <p>14 available for the Requisitions Self-Service module?</p> <p>15 A There would be an installation guide also.</p> <p>16 Q Do you know if that's been produced?</p> <p>17 A Produced...</p> <p>18 Q In the litigation to ePlus's counsel.</p> <p>19 A I would assume so.</p> <p>20 MR. SCHULTZ: It has been.</p> <p>21 MS. ALBERT: Okay.</p> <p>22 BY MS. ALBERT:</p>

<p>149</p> <p>1 Q Can you turn to page 7 of the guide that</p> <p>2 bears production number L 0045480?</p> <p>3 A Page number 7, you said?</p> <p>4 Q Yes.</p> <p>5 A Okay.</p> <p>6 Q Do you see the very first sentence on the</p> <p>7 page reads, "The Lawson Requisitions Self-Service</p> <p>8 application lets you create requests with demand on</p> <p>9 stock and demand on vendors"? Can you explain the</p> <p>10 difference between the two?</p> <p>11 A Sure. Demand on stock is the ability to</p> <p>12 request items that are kept on inventory or in your</p> <p>13 stockroom. And then demand on vendor is your special</p> <p>14 order items, things that you don't keep in inventory.</p> <p>15 Q And in order to do this, would you search</p> <p>16 the item data that's included in the Item Master?</p> <p>17 A Yes.</p> <p>18 Q Can you turn to page 19 of the guide.</p> <p>19 A Okay.</p> <p>20 Q And I think you already said this, but the</p> <p>21 first part of the first bullet reads, "Before you can</p> <p>22 create requisitions, you must set up the requisitions</p>	<p>151</p> <p>1 Purchase Order application.</p> <p>2 A Mm-hmm.</p> <p>3 Q In order to use Requisitions Self-Service,</p> <p>4 must you also have installed the Lawson Purchase</p> <p>5 Order application?</p> <p>6 A That's correct. Mm-hmm.</p> <p>7 Q Can you turn to page 25.</p> <p>8 A Okay.</p> <p>9 Q Do you see the heading there, "Setting up</p> <p>10 the search catalog"?</p> <p>11 A Mm-hmm.</p> <p>12 Q And it talks about this search catalog</p> <p>13 feature. It says, "The search catalog feature looks</p> <p>14 for keywords in the database to match the search</p> <p>15 string you entered in the search box. The keyword</p> <p>16 comes from the keyword origin fields defined as</p> <p>17 'used' and keyword search setup. IC 0.0.5. These</p> <p>18 origin fields come from database fields that identify</p> <p>19 inventory and nonstock items. Using keyword search</p> <p>20 load, IC 8.0.0, keywords are created based on the</p> <p>21 enabled database fields."</p> <p>22 When it's talking about the search catalog</p>
<p>150</p> <p>1 application including requesters requesting locations</p> <p>2 and approval codes." So in order to use the</p> <p>3 Requisitions Self-Service application, you must have</p> <p>4 also installed the Lawson Requisitions application,</p> <p>5 correct?</p> <p>6 A That is correct, yes.</p> <p>7 Q Can you turn to page 21.</p> <p>8 A Okay.</p> <p>9 Q And the first sentence on this page reads,</p> <p>10 "Before you set up Requisitions application, you must</p> <p>11 also set up the Inventory Control application. Do</p> <p>12 you see that?</p> <p>13 A That's correct.</p> <p>14 Q So in order to use the Requisitions</p> <p>15 Self-Service application, you must have installed</p> <p>16 both Lawson Requisitions and Lawson Inventory</p> <p>17 Control --</p> <p>18 A Mm-hmm.</p> <p>19 Q -- correct? Can you turn to -- I guess</p> <p>20 it's the next page, 22.</p> <p>21 A Okay.</p> <p>22 Q Here this page talks about setting up the</p>	<p>152</p> <p>1 feature allowing you to look for keywords in the</p> <p>2 database, what database is being referred to there?</p> <p>3 A It would be the Item Master.</p> <p>4 Q And what are nonstock items?</p> <p>5 A Nonstock items are special order items</p> <p>6 that we've talked about before, things that you</p> <p>7 don't, for whatever reason, decide you want to</p> <p>8 actually keep in your storeroom, your stockroom, your</p> <p>9 distribution center, whatever you may have, where you</p> <p>10 can keep inventory.</p> <p>11 Q Are those items you're going to request to</p> <p>12 purchase from vendors?</p> <p>13 A Yes.</p> <p>14 Q What fields, what origin fields of the</p> <p>15 database can be made searchable as described here?</p> <p>16 A Mm-hmm. I want to reread it again myself,</p> <p>17 if I may.</p> <p>18 Q Sure.</p> <p>19 A Okay.</p> <p>20 It's going to depend on what the customer</p> <p>21 is setting up in the IC 0.0.5 screen using the 'used'</p> <p>22 keyword setup. It mentions about midway in the</p>

<p>153</p> <p>1 middle of that paragraph, and then also it goes down</p> <p>2 further into the second paragraph, in the middle,</p> <p>3 again, for example, Lawson item number, UPC number,</p> <p>4 or description.</p> <p>5 Q Are there any other fields that can be</p> <p>6 made searchable besides Lawson item number, UPC</p> <p>7 number, or description?</p> <p>8 A Clearly depending on how the customer</p> <p>9 would load things within the keyword origin.</p> <p>10 Q Which origin fields are available to be</p> <p>11 made searchable?</p> <p>12 A That I would have to get back to you on.</p> <p>13 Q Where would you look to find that</p> <p>14 information?</p> <p>15 A I would have to go and essentially dig up</p> <p>16 more information on the IC 0.0 system. Inventory</p> <p>17 Control is what IC is.</p> <p>18 Q If you look at the next page -- well,</p> <p>19 first there's a part at the bottom of this page</p> <p>20 saying, "Access the following forms to define the</p> <p>21 information listed."</p> <p>22 A You're on the next page, or are you on</p>	<p>155</p> <p>1 somewhere?</p> <p>2 A No. This would be it.</p> <p>3 Q So I have to go to the source code in</p> <p>4 order to find the origin fields of the Item Master?</p> <p>5 A Not the source code. You can go look at</p> <p>6 those forms.</p> <p>7 Q Where would those forms be retained?</p> <p>8 A Those forms are encoded in the source code</p> <p>9 itself, in the screen files. So the IC, in this</p> <p>10 particular -- the first two examples, the IC 0.0, SC</p> <p>11 file.</p> <p>12 Q Is there anywhere, any kind of publication</p> <p>13 besides the source code that will tell me what fields</p> <p>14 of the Item Master can be made searchable?</p> <p>15 A Besides looking at the source code and</p> <p>16 besides looking at the screens, there might be</p> <p>17 something in the training guides that we talked about</p> <p>18 earlier.</p> <p>19 Q Turn to page 27.</p> <p>20 A Sure. I'm there.</p> <p>21 Q Okay. This page relates to defining</p> <p>22 categories.</p>
<p>154</p> <p>1 page 25?</p> <p>2 Q On the bottom of page 25 it talks about</p> <p>3 the steps to set up the search catalog.</p> <p>4 A Right. Mm-hmm.</p> <p>5 Q And it says you can access the following</p> <p>6 forms to define the information listed.</p> <p>7 A Mm-hmm.</p> <p>8 Q And the forms, the names of the forms are</p> <p>9 presented on page 26.</p> <p>10 A Correct.</p> <p>11 Q Where can I access those forms?</p> <p>12 A Those forms, if you notice, let's take a</p> <p>13 look at the corporate item group. The notice, it</p> <p>14 says IC 0.0.1. That's the code to say that that's</p> <p>15 the program, IC 0.0, which happens also to be the</p> <p>16 form, and it's on tab 1.</p> <p>17 Q Okay. What about keyword search setup, IC</p> <p>18 0.0.5?</p> <p>19 A That's on the same program, same screen,</p> <p>20 fifth tab.</p> <p>21 Q Is there any definition of the item</p> <p>22 database fields that's available in the guide</p>	<p>156</p> <p>1 A Mm-hmm.</p> <p>2 Q And the first sentence states that "The</p> <p>3 categories task is designed to use UNSPSC (United</p> <p>4 Nations Standard Product and Service Codes).</p> <p>5 Categories let you search for items by category.</p> <p>6 After you import UNSPSC codes you can assign them to</p> <p>7 items using Item Master IC 11.1."</p> <p>8 Do you see that?</p> <p>9 A Mm-hmm.</p> <p>10 Q So this IC 11.1 procedure comes standard</p> <p>11 in the Inventory Control module as delivered?</p> <p>12 A Yes. That's the IC 11 program.</p> <p>13 Q And then also referring back to the</p> <p>14 keyword search setup program, IC 0.0.5, that program</p> <p>15 comes standard with the product as delivered; is that</p> <p>16 correct?</p> <p>17 A Yes.</p> <p>18 Q And also the keyword search load</p> <p>19 procedure, IC 8.0.0?</p> <p>20 A Yes.</p> <p>21 Q That comes standard with the Inventory</p> <p>22 Control module as delivered; is that correct?</p>

<p>157</p> <p>1 A Yes.</p> <p>2 Q Will Lawson actually perform UNSPSC code</p> <p>3 import for clients that request that their Item</p> <p>4 Master be set up with UNSPSC codes?</p> <p>5 A When Lawson delivers the database, there's</p> <p>6 nothing in that particular database.</p> <p>7 Q Right.</p> <p>8 A There's no records.</p> <p>9 Q But as part of Lawson's professional</p> <p>10 services it provides with the installation and</p> <p>11 implementation that we talked about earlier --</p> <p>12 A Right.</p> <p>13 Q -- will Lawson perform the import of the</p> <p>14 UNSPSC codes for a client?</p> <p>15 A Typically, no.</p> <p>16 Q If the UNSPSC codes are imported into the</p> <p>17 Item Master, is then each item in the Item Master</p> <p>18 associated with the UNSPSC code?</p> <p>19 A Let's see. I want to reread the second</p> <p>20 one. Let's see. No. The key is on that second</p> <p>21 sentence of the second paragraph on page 27, after</p> <p>22 you import the UNSPSC codes, you can assign them to</p>	<p>159</p> <p>1 A Right.</p> <p>2 Q -- that textual description of a product</p> <p>3 category is associated with a UNSPSC code, correct?</p> <p>4 A Correct. Mm-hmm.</p> <p>5 Q Can you turn to page 28 of the guide.</p> <p>6 A Yes, I'm there.</p> <p>7 Q And this page talks about setting up the</p> <p>8 Punchout task. The first sentence states, "When</p> <p>9 enabled, the Punchout task lets requesters access</p> <p>10 external vendors' web pages, shop for items, and</p> <p>11 return selections to a Lawson requisition." So is</p> <p>12 the Procurement Punchout application integrated with</p> <p>13 the Requisitions Self-Service application in order to</p> <p>14 provide this functionality?</p> <p>15 A Correct.</p> <p>16 Q If you search for and select items from a</p> <p>17 punchout catalog, those selected items are returned</p> <p>18 back to the requisition that's being built using the</p> <p>19 Requisitions Self-Service application, correct?</p> <p>20 A That is correct.</p> <p>21 Q Can you turn to page 32 of the guide.</p> <p>22 A Okay.</p>
<p>158</p> <p>1 items using Item Master. So they're now available</p> <p>2 for use. So the importing of the codes is simply</p> <p>3 providing the options, the available -- essentially</p> <p>4 what the United Nations has set up as far as standard</p> <p>5 product and service codes.</p> <p>6 Q But in order to implement this categories</p> <p>7 search utility, you would need to associate the</p> <p>8 UNSPSC code with each item in the Item Master,</p> <p>9 correct?</p> <p>10 A Correct.</p> <p>11 Q And then to perform this category search</p> <p>12 functionality, we have each item in the Item Master</p> <p>13 associated with the UNSPSC code, and then is also</p> <p>14 each category that you use for searching also</p> <p>15 assigned to a UNSPSC code?</p> <p>16 A Each category?</p> <p>17 Q Yes.</p> <p>18 A Category itself is the UNSPSC codes.</p> <p>19 Q Right. So --</p> <p>20 A I'm not sure what -- could you --</p> <p>21 Q If we have a textual description of a</p> <p>22 category that we use in the search user interface --</p>	<p>160</p> <p>1 Q Under the heading "What is the search</p> <p>2 catalog?" The sentences there read, "The search</p> <p>3 catalog lets you search for items in the Item Master</p> <p>4 file. You can search for items and keywords in up to</p> <p>5 30 origin fields that were defined during setup."</p> <p>6 A Mm-hmm.</p> <p>7 Q So again I'm asking, where could I find</p> <p>8 the list of the 30 origin fields that can be made</p> <p>9 searchable?</p> <p>10 A I think what you're confusing is that</p> <p>11 there's 30 fields that are called field A, field B --</p> <p>12 there's 30 fields that you can set up contextually to</p> <p>13 say that field 1, the first origin field I'm going to</p> <p>14 use, equates to this piece of data. And you're going</p> <p>15 to have a label to it. So there's 30 of them.</p> <p>16 That's up to the customer, to decide how they want</p> <p>17 those 30 fields. It's not like -- in essence it</p> <p>18 allows a customer to have 30 of their own unique</p> <p>19 fields within the Item Master. So it's not like</p> <p>20 Lawson saying, here are the 30.</p> <p>21 Q All right. That's what I was getting at,</p> <p>22 is if there was some sort of a database schema or</p>

<p>1 something that would tell me that the first field is</p> <p>2 item number, the second field is long description for</p> <p>3 the item, the third field is short description for</p> <p>4 the item. There's no schema defining the fields of</p> <p>5 the Item Master?</p> <p>6 A The schema is simply that there's 30</p> <p>7 origin fields. What they mean or the context of them</p> <p>8 depends on how the customer wants to set them up.</p> <p>9 And then they're defining that with the use statement</p> <p>10 that we talked about earlier. That helps me</p> <p>11 understand where you were going with this. So...</p> <p>12 Q Okay. Under the heading on this page,</p> <p>13 "What is the categories task," the first sentence</p> <p>14 reads, "The categories task lets you search for items</p> <p>15 by category. Imported UNSPSC codes or user defined</p> <p>16 UNSPSC codes are assigned on Item Master IC 11.1.</p> <p>17 After you define categories, you can click on a</p> <p>18 category top level for Lawson Requisitions</p> <p>19 Self-Service to open the segment tree to the product,</p> <p>20 family, commodity branches, and finally, items. You</p> <p>21 can select items at any of the levels."</p> <p>22 So this UNSPSC commodity classification</p>	<p>1 Q And this page talks about the shopping</p> <p>2 cart.</p> <p>3 A Mm-hmm.</p> <p>4 Q And the first couple of sentences read,</p> <p>5 "The shopping cart displays the total number of items</p> <p>6 and the total transaction amount for a requisition in</p> <p>7 base currency. The shopping cart dynamically builds</p> <p>8 quantity and amount for items in the cart."</p> <p>9 Is the shopping cart equivalent to the</p> <p>10 requisition that's being built by the application?</p> <p>11 A Essentially, yes.</p> <p>12 Q Is it sort of like an order list?</p> <p>13 A Could be construed as an order list.</p> <p>14 It's -- the shopping cart is -- today with online</p> <p>15 shopping most users are familiar with putting items</p> <p>16 in a shopping cart. And that's what it is, it's</p> <p>17 creating those items that you want to get for</p> <p>18 whatever purposes. And you may or may not actually</p> <p>19 have to purchase them.</p> <p>20 Q And the shopping cart can be dynamically</p> <p>21 built from results of conducting searches of the Item</p> <p>22 Master; is that correct?</p>
<p>1 code system, that's a hierarchal system --</p> <p>2 A Yes.</p> <p>3 Q -- from a generic product category, and</p> <p>4 you can drill down to more specific categorizations</p> <p>5 of products; is that correct?</p> <p>6 A That is, yes.</p> <p>7 Q And at each level of this category tree</p> <p>8 you can find items, if you had items of multiple</p> <p>9 vendors in your Item Master, you could find items</p> <p>10 from different vendors that were all cross-referenced</p> <p>11 to the same product category, correct?</p> <p>12 A Can you restate that again?</p> <p>13 Q If you're searching using the categories</p> <p>14 search task, as you drill down the category tree you</p> <p>15 could find, if you had items loaded into your Item</p> <p>16 Master from multiple different vendors, you could use</p> <p>17 that categories tree to find items from different</p> <p>18 vendors that were all cross-referenced to the same</p> <p>19 product category, correct?</p> <p>20 A Right.</p> <p>21 Q Could you turn to page 33 of the guide.</p> <p>22 A Okay.</p>	<p>1 A That is correct.</p> <p>2 Q And can the shopping cart also be</p> <p>3 dynamically built using results of searches using</p> <p>4 vendor punchout catalogs?</p> <p>5 A One catalog as a time.</p> <p>6 Q But it can be dynamically built using</p> <p>7 results of searches of vendor punchout catalogs,</p> <p>8 correct?</p> <p>9 A As long as you're just punching out to one</p> <p>10 catalog as a time, yes.</p> <p>11 Q The last bullet point on this page,</p> <p>12 referring to checkout, it says that "Checkout saves</p> <p>13 items in the cart to be requisition lines and moves</p> <p>14 the requisition to the next processing stage."</p> <p>15 What's the next processing stage?</p> <p>16 A For most requisitions, that is probably</p> <p>17 going to be an approval process.</p> <p>18 Q Is the approval process flow included with</p> <p>19 the Requisitions Self-Service application?</p> <p>20 A It is not. That's going to be dependent</p> <p>21 on if they've bought Process Flow or not.</p> <p>22 Q That's that separate application that we</p>

<p>165</p> <p>1 talked about?</p> <p>2 A Right. The next process could be manual</p> <p>3 at a company.</p> <p>4 Q Can you turn to page 45 of the guide.</p> <p>5 A Okay.</p> <p>6 Q And there it talks about simple search and</p> <p>7 advanced search. Do you see that?</p> <p>8 A Yes.</p> <p>9 Q How did the advanced search capabilities</p> <p>10 compare to the simple search capabilities?</p> <p>11 A Do you want me to read it first, refresh</p> <p>12 myself?</p> <p>13 Q Sure.</p> <p>14 A Okay.</p> <p>15 The key difference between the two is the</p> <p>16 simple search searches for everything that's in the</p> <p>17 origin fields. The advanced search allows you to</p> <p>18 say, I don't want to search for everything in the</p> <p>19 origin fields, I only want to search on these</p> <p>20 particular fields within the origin field.</p> <p>21 Q So it's like an exclude function?</p> <p>22 A Good example, yes.</p>	<p>167</p> <p>1 separate product.</p> <p>2 Q Okay.</p> <p>3 A So it's an optional product that you have</p> <p>4 to buy.</p> <p>5 Q Is there any kind of interface in the</p> <p>6 Requisitions Self-Service application that comes with</p> <p>7 the Requisitions Self-Service application as</p> <p>8 delivered to enable it to interface to the</p> <p>9 Procurement Punchout application?</p> <p>10 A Say that again.</p> <p>11 Q Is there any kind of interface in the</p> <p>12 Requisitions Self-Service application as delivered to</p> <p>13 enable it to interface to the Procurement Punchout</p> <p>14 application?</p> <p>15 A Yes. It is set up to work with</p> <p>16 Procurement Punchout. But Procurement Punchout needs</p> <p>17 to be purchased separately.</p> <p>18 Q Thank you.</p> <p>19 MS. ALBERT: Let me have the reporter mark</p> <p>20 as Christopherson Exhibit 8 a copy of a presentation</p> <p>21 entitled "Lawson S3 Requisitions Self-Service</p> <p>22 Overview," bearing production numbers ePlus 621206</p>
<p>166</p> <p>1 Q A Boolean Not function?</p> <p>2 A If you want to go to Boolean logic, yes.</p> <p>3 Q Can you turn to page 50 of the guide.</p> <p>4 A Okay.</p> <p>5 Q This page talks about using the Punchout</p> <p>6 task. And the first sentence states, "When enabled</p> <p>7 the Punchout task gives requesters access to external</p> <p>8 vendors, shop for items, and return selections to a</p> <p>9 Lawson requisition." Is the Requisitions</p> <p>10 Self-Service application preconfigured to perform</p> <p>11 punchouts?</p> <p>12 A Preconfigured -- that's a pretty</p> <p>13 overloaded term.</p> <p>14 Q Does it come with that functionality as</p> <p>15 delivered?</p> <p>16 A It has the ability to connect to the</p> <p>17 punchout servlet. But can you connect to a vendor</p> <p>18 site out of the box, the answer is no.</p> <p>19 Q But it does have the Punchout -- the</p> <p>20 Punchout servlet comes with the application as</p> <p>21 delivered; is that correct?</p> <p>22 A That is not correct. Punchout is a</p>	<p>168</p> <p>1 through 233.</p> <p>2 (Christopherson Exhibit 8 was marked for</p> <p>3 identification and attached to the deposition</p> <p>4 transcript.)</p> <p>5 THE WITNESS: Okay.</p> <p>6 BY MS. ALBERT:</p> <p>7 Q Are you familiar with this document that's</p> <p>8 been marked as Christopherson Exhibit 8?</p> <p>9 A This is actually the first time I've seen</p> <p>10 Mr. Lohkamp's presentation that I can recall in this</p> <p>11 particular format. I've certainly seen presentations</p> <p>12 that he's made before on RSS.</p> <p>13 Q Do you know if this is found on the</p> <p>14 Lawson.com website?</p> <p>15 A I could not tell you if it is or not.</p> <p>16 Q Can you look up at the URL that's there at</p> <p>17 the top of the page, do you see it says --</p> <p>18 A Yes.</p> <p>19 Q -- http://www.lawson.com/webinar/RSS/?</p> <p>20 A Right.</p> <p>21 Q Does that indicate that it's found on the</p> <p>22 Lawson.com website?</p>

<p>169</p> <p>1 A Yes, it is.</p> <p>2 Q Why are webinars of this type placed on</p> <p>3 the Lawson.com website?</p> <p>4 A Typically for the customer -- not</p> <p>5 customer, but potential customer, if you would,</p> <p>6 that's interested in the different product offerings</p> <p>7 that Lawson has, so it gives them a good overview.</p> <p>8 And they're typically not looking for one particular</p> <p>9 product offering, but a variety of products that are</p> <p>10 all integrated in the ERP space, Enterprise Resource</p> <p>11 Planning.</p> <p>12 Q So you said that this was the first time</p> <p>13 you had seen --</p> <p>14 A The specific document, that I can recall,</p> <p>15 yes.</p> <p>16 Q But you've seen versions of it before, is</p> <p>17 that --</p> <p>18 A I may very well have seen versions that</p> <p>19 Keith has used before, yes.</p> <p>20 Q What's Mr. Lohkamp's role with respect to</p> <p>21 the Supply Chain Management suite? It says here his</p> <p>22 title is product strategist, Supply Chain Management.</p>	<p>171</p> <p>1 screenshot, which takes up about three quarters of</p> <p>2 the particular screen on the left side, that is the</p> <p>3 Requisitions Self-Service.</p> <p>4 Q Okay. And you see one part of the screen</p> <p>5 is in blue, and then another part is in green.</p> <p>6 A Mm-hmm.</p> <p>7 Q What's the part on the left in the blue?</p> <p>8 A On the left, it depends on which tab they</p> <p>9 have selected at the very top. So you notice the tab</p> <p>10 above the blue box, there's a blue tab, top row, left</p> <p>11 side, that's been selected.</p> <p>12 Q So it says there's a drop down menu,</p> <p>13 Find/Shop, do you see that?</p> <p>14 A Yes.</p> <p>15 Q Is this the Find/Shop user interface?</p> <p>16 A No, it's not.</p> <p>17 Q Do you know what it is?</p> <p>18 A What this is, if you would, on -- I'm</p> <p>19 going to point. Do you have a pen? It might work</p> <p>20 out better.</p> <p>21 Q Do you want a highlighter or a pen?</p> <p>22 A No, just a pen, I just want something I</p>
<p>170</p> <p>1 A Correct. He works in product management</p> <p>2 as the product strategist.</p> <p>3 Q What is a product strategist?</p> <p>4 A Keeps track of what our competition is</p> <p>5 doing, what our customers are probably going to be</p> <p>6 wanting to have in the distant future, not what's</p> <p>7 staring us in the immediate future. He's setting up</p> <p>8 essentially the vision of where the product needs to</p> <p>9 go.</p> <p>10 Q Can you turn to the page with the Bates</p> <p>11 number ePlus 621210.</p> <p>12 A 210.</p> <p>13 Q Are you there?</p> <p>14 A I believe I am.</p> <p>15 Q What's this particular screen? Is this</p> <p>16 screen showing a screenshot of the S3 Requisitions</p> <p>17 Self-Service module, to your knowledge?</p> <p>18 A Yes. On the screen there's two things</p> <p>19 that are going on in the pane. On the right side, in</p> <p>20 the grayish colored area, that's obviously, if you</p> <p>21 would, the table of contents that Keith is walking</p> <p>22 someone through on a webinar. But then the actual</p>	<p>172</p> <p>1 can point to. Because I can understand the</p> <p>2 confusion. First, we're talking about this blue box,</p> <p>3 right?</p> <p>4 Q Right.</p> <p>5 A That blue box, the context of that is set</p> <p>6 by these tabs in here. So this particular tab, and I</p> <p>7 don't know the exact word that's there but I believe</p> <p>8 it's "header," something along those lines, it's the</p> <p>9 top level information at the top of a requisition.</p> <p>10 This is information about the requester, currently.</p> <p>11 There's dropdowns that will change what's</p> <p>12 going on in these particular boxes depending on</p> <p>13 what's being selected here. So what he's done is</p> <p>14 he's selected the Find dropdown box, but he hasn't</p> <p>15 selected nor done any action to change the screens.</p> <p>16 Q And then on the box in the green, I think</p> <p>17 the title is My Cart.</p> <p>18 A Yes, that's your shopping cart.</p> <p>19 Q And there are currently no items in the</p> <p>20 cart.</p> <p>21 A No.</p> <p>22 Q On this screen. And if you click on that</p>

<p>173</p> <p>1 Find/Shop button, that's going to provide the</p> <p>2 dropdown menu that's shown there, having the</p> <p>3 selections, search catalog, special/service, shopping</p> <p>4 list, punchout, express order, and categories,</p> <p>5 correct?</p> <p>6 A Not quite.</p> <p>7 Q Okay.</p> <p>8 A It depends if Punchout has been installed</p> <p>9 at the customer's site or not. So if Punchout is not</p> <p>10 there, it's not viewable.</p> <p>11 Q But the dropdown menu is still going to</p> <p>12 have the word "Punchout" there?</p> <p>13 A No.</p> <p>14 Q All right.</p> <p>15 A Why entice the user into something they</p> <p>16 can't do?</p> <p>17 Q So this particular deployment of the</p> <p>18 system, if you will, does appear to have the Punchout</p> <p>19 functionality available to the user, correct?</p> <p>20 A Correct.</p> <p>21 Q Can you turn to the next page, ending with</p> <p>22 the Bates number 211.</p>	<p>175</p> <p>1 screen highlighted in blue on the left, the Search</p> <p>2 screen.</p> <p>3 A Mm-hmm.</p> <p>4 Q There is an input box there next to the</p> <p>5 button Search, do you see that?</p> <p>6 A That's currently dark blue?</p> <p>7 Q Yes.</p> <p>8 A Yes, I do.</p> <p>9 Q And so that's a user interface to enable a</p> <p>10 user to input a search query into that box; is that</p> <p>11 correct?</p> <p>12 A Correct.</p> <p>13 Q And I think that the search term input</p> <p>14 there is the word "clip," do you see that?</p> <p>15 A Yes, I do.</p> <p>16 Q So after the search request was input,</p> <p>17 does the search engine search the Item Master for</p> <p>18 items matching that input search query?</p> <p>19 A That is correct.</p> <p>20 Q And it shows that the search engine</p> <p>21 returned a hit list of matching items, correct?</p> <p>22 A It does.</p>
<p>174</p> <p>1 A Mm-hmm.</p> <p>2 Q And can you determine which particular</p> <p>3 selection Mr. Lohkamp made in the dropdown menu in</p> <p>4 order to be presented with this screen?</p> <p>5 A He's done the first one, which is the</p> <p>6 search catalog, to then get to what's on page 211.</p> <p>7 Q Is the catalog that's being searched here</p> <p>8 a catalog internally maintained by the buyer?</p> <p>9 A Yes.</p> <p>10 Q And how is that catalog populated with</p> <p>11 data?</p> <p>12 A Through the IC application which goes into</p> <p>13 the Item Master.</p> <p>14 Q Will Lawson provide data import services</p> <p>15 to its customers if requested?</p> <p>16 A We typically don't do that.</p> <p>17 Q But have you done it in any</p> <p>18 implementation?</p> <p>19 A There might be one out there, maybe. But</p> <p>20 it's very rare. Typically customers are the ones</p> <p>21 pushing the keystrokes and stuff.</p> <p>22 Q If you look in the screen, the part of the</p>	<p>176</p> <p>1 Q Could you turn to page ePlus 621223.</p> <p>2 A 223?</p> <p>3 Q Correct.</p> <p>4 A Okay. I'm there.</p> <p>5 Q This time, on the left hand screen,</p> <p>6 there's a Categories tab. Do you see that?</p> <p>7 A I do.</p> <p>8 Q Is this the screen that would be presented</p> <p>9 if you clicked on the Categories selection from the</p> <p>10 Find/Shop dropdown menu?</p> <p>11 A Yes.</p> <p>12 Q And this enables you to search for items</p> <p>13 by selecting the desired category; is that correct?</p> <p>14 A That is correct.</p> <p>15 Q And in order to do this, you need to have</p> <p>16 each item record in the item master associated with</p> <p>17 the UNSPSC code; is that correct?</p> <p>18 A That's incorrect. You wouldn't need to</p> <p>19 have each item.</p> <p>20 Q You would have to have the items that you</p> <p>21 want to be able to search for by category --</p> <p>22 A That's correct.</p>

<p>177</p> <p>1 Q -- associated with the UNSPSC code? Turn</p> <p>2 to the page bearing the production number ePlus</p> <p>3 621226.</p> <p>4 A Okay.</p> <p>5 Q What screen is shown on the left hand side</p> <p>6 of the screen outlined in blue?</p> <p>7 A That is the accounting information. If</p> <p>8 you notice the tab up above, Accounting has been</p> <p>9 selected?</p> <p>10 Q And what's the purpose of the accounting</p> <p>11 information here?</p> <p>12 A So within the budgets, and actual</p> <p>13 financial stuff, who is going to -- which department</p> <p>14 is going to be charged for this.</p> <p>15 Q So this information is going to be used in</p> <p>16 connection with the requisition that's being built?</p> <p>17 A That's correct.</p> <p>18 Q And then on the right hand screen in the</p> <p>19 card, here you have four items that have been</p> <p>20 included in your shopping cart. What happens to that</p> <p>21 when you click Checkout?</p> <p>22 A When you click Checkout, then it would</p>	<p>179</p> <p>1 the approval to whomever it needs based on what was</p> <p>2 set up back in the Supply Chain Management system and</p> <p>3 sends that e-mail message out.</p> <p>4 Q And once the requisition is approved, what</p> <p>5 happens next?</p> <p>6 A It very well may need further approvals.</p> <p>7 Q After it's passed through all levels of</p> <p>8 approval, what would be the next step?</p> <p>9 A Then it would go over to be released, and</p> <p>10 then go over to the Purchase Order system.</p> <p>11 Q And then --</p> <p>12 A If it needs to be purchased. If it's</p> <p>13 inventory, then it goes on to a pick list so someone</p> <p>14 can pick it up, and then deliver it, maybe putting it</p> <p>15 in someone's box, might be hand-delivering it to</p> <p>16 them, whatever their specific requisition requires.</p> <p>17 MS. ALBERT: I've been informed by the</p> <p>18 videographer that we need to take a short break to</p> <p>19 change the tape.</p> <p>20 THE WITNESS: Sure.</p> <p>21 THE VIDEOGRAPHER: This marks the end of</p> <p>22 tape number 2 in the deposition of</p>
<p>178</p> <p>1 move that information into the requisition system and</p> <p>2 actually create a requisition.</p> <p>3 Q Can you turn to the next page. What's the</p> <p>4 screen depicted on this page?</p> <p>5 A Okay. That particular one, what it's</p> <p>6 showing is a Microsoft Outlook. It's an e-mail</p> <p>7 system.</p> <p>8 Q And do you see on the right there's a</p> <p>9 notification that "Eight requisitions totaling</p> <p>10 \$13,220.15 need your approval"?</p> <p>11 A Yes, I do.</p> <p>12 Q So does the Requisitions Self-Service</p> <p>13 module send an approval, and e-mail notification when</p> <p>14 a requisition has been submitted that needs approval?</p> <p>15 A No, it does not.</p> <p>16 Q So what particular -- how does this</p> <p>17 notification process work?</p> <p>18 A Requisitions Self-Service has Requisition</p> <p>19 create the requisitions in itself. So Requisition,</p> <p>20 then, if the approval system is set up, the automatic</p> <p>21 approval system with Process Flow, which is what this</p> <p>22 one is showing, then it goes to Process Flow to seek</p>	<p>180</p> <p>1 Mr. Christopherson. We're going off the record. The</p> <p>2 time is 2:27 p.m.</p> <p>3 (Recess.)</p> <p>4 (Christopherson Exhibit 9 was marked for</p> <p>5 identification and attached to the deposition</p> <p>6 transcript.)</p> <p>7 THE VIDEOGRAPHER: This marks the</p> <p>8 beginning of tape number 3 in the deposition of</p> <p>9 Mr. Christopherson. We're back on the record. The</p> <p>10 time is 2:42 p.m.</p> <p>11 BY MS. ALBERT:</p> <p>12 Q Mr. Christopherson, I've had the reporter</p> <p>13 mark as Christopherson Exhibit 9 a document entitled</p> <p>14 "Lawson Procurement Punchout Administration Guide</p> <p>15 Version 9.0," bearing production number L 0046293</p> <p>16 through 332.</p> <p>17 A Okay.</p> <p>18 Q Are you familiar with this document?</p> <p>19 A Have I seen this document before? Yes.</p> <p>20 Q And what is it?</p> <p>21 A It's the administration guide, someone who</p> <p>22 would work typically, in an IT department, that would</p>

<p>181</p> <p>1 set up Lawson Procurement Punchout, what we would</p> <p>2 just normally call Punchout.</p> <p>3 Q Do you know if this is the latest version</p> <p>4 of the guide?</p> <p>5 A That I don't know. We don't change that</p> <p>6 product as much as the other products that we've</p> <p>7 talked about, so I'm not sure when the last guide was</p> <p>8 that we produced.</p> <p>9 Q Do you see under the date, November 2006,</p> <p>10 there's a document number?</p> <p>11 A Mm-hmm.</p> <p>12 Q To what does that refer?</p> <p>13 A At one point, I'm trying to go back</p> <p>14 through these other documents to see if they had</p> <p>15 document numbers or not, at one point we were --</p> <p>16 there was a set of codes that were used to track</p> <p>17 documents. Part numbers, if you would. So this</p> <p>18 would be the part number that was used for this</p> <p>19 particular document.</p> <p>20 Q And so you could use that document number</p> <p>21 to access it via the MyLawson website?</p> <p>22 A Sure, or you could just search for the</p>	<p>183</p> <p>1 "Lawson Procurement Punchout works with Lawson</p> <p>2 Requisitions Self-Service to allow end users to</p> <p>3 seamlessly browse vendor websites, select from</p> <p>4 approved products and prenegotiated prices, create</p> <p>5 requisitions, route for approval, and then generate</p> <p>6 purchase orders."</p> <p>7 So do you need to have a license to</p> <p>8 Requisitions Self-Service in order to use the</p> <p>9 Procurement Punchout application?</p> <p>10 A Yes.</p> <p>11 Q And you would also need to license the</p> <p>12 Requisitions module, the Purchase Order module, and</p> <p>13 the Inventory Control module?</p> <p>14 A That's correct.</p> <p>15 Q What are the license fees associated with</p> <p>16 the Requisitions module?</p> <p>17 A That I do not know.</p> <p>18 Q Who would know the answer to that?</p> <p>19 A It would be on the order form, as far as</p> <p>20 what the fees are, the undiscounted fees. Keith also</p> <p>21 will know those.</p> <p>22 Q Do you know what the license fee is for</p>
<p>182</p> <p>1 name itself.</p> <p>2 Q Is there a Procurement Punchout user guide</p> <p>3 available?</p> <p>4 A Punchout doesn't involve a user. So there</p> <p>5 wouldn't be a user guide.</p> <p>6 Q Does the user have to know how to actually</p> <p>7 operate the product in order to punch out to a</p> <p>8 website?</p> <p>9 A No.</p> <p>10 Q Are the same collection of personnel</p> <p>11 responsible for authoring this manual?</p> <p>12 A Yes.</p> <p>13 Q How often is this particular guide</p> <p>14 updated?</p> <p>15 A When significantly new versions of</p> <p>16 Procurement Punchout come out, which is not very</p> <p>17 often.</p> <p>18 Q Can you turn to page 7 of the guide, and</p> <p>19 that has production number L 0046299.</p> <p>20 A Okay.</p> <p>21 Q Under the heading "What does Lawson</p> <p>22 Procurement Punchout do," the first sentence states,</p>	<p>184</p> <p>1 Requisitions Self-Service?</p> <p>2 A No, I do not.</p> <p>3 Q So I should check with Keith or --</p> <p>4 A Keith may know what those are. I know</p> <p>5 they're on the product order form, so...</p> <p>6 Q In the second paragraph on the page, it</p> <p>7 mentions that "Lawson Procurement Punchout enables</p> <p>8 users of Lawson Requisitions Self-Service to order</p> <p>9 supplies from specific vendors' websites. Within</p> <p>10 Lawson Procurement Punchout a vendor's website is</p> <p>11 represented by an icon on the Lawson Requisitions</p> <p>12 Self-Service home page. When the user clicks on the</p> <p>13 vendor icon, called punching out, that vendor's</p> <p>14 website catalog appears in a separate browser</p> <p>15 section."</p> <p>16 Are you still within the Lawson</p> <p>17 Requisitions Self-Service application when you're</p> <p>18 punching out to the vendor website?</p> <p>19 A No.</p> <p>20 Q You're not still connected to the</p> <p>21 Requisitions Self-Service application?</p> <p>22 A Good point. You are connected.</p>

<p>185</p> <p>1 Essentially what you've done is you have two web</p> <p>2 browsers that are opened up. You've got the</p> <p>3 Requisitions Self-Service. You click on, let's say,</p> <p>4 Office Depot's icon within Requisitions Self-Service.</p> <p>5 It opens up another browser window that has Office</p> <p>6 Depot.</p> <p>7 It in itself is not in the Lawson</p> <p>8 environment or controlled by Lawson in any which way.</p> <p>9 We're communicating via cXML, which is what</p> <p>10 Procurement Punchout handles.</p> <p>11 Q So you're still connected to the Lawson</p> <p>12 Requisitions Self-Service application when you're</p> <p>13 punched out to a vendor website?</p> <p>14 A The transaction is stateless. So at that</p> <p>15 particular moment, we've started it up, we've</p> <p>16 provided the security credentials. Now in that</p> <p>17 particular window you can do whatever you want. And</p> <p>18 if you decide to leave, that's fine. You're not</p> <p>19 connected again or no data is transferred back to</p> <p>20 Lawson until you check out of their website.</p> <p>21 Q And that's what the last part on this page</p> <p>22 is referring to, when it says, "When users have</p>	<p>187</p> <p>1 Q Do you need to have -- what do you need to</p> <p>2 have in order to transmit a purchase order to the</p> <p>3 vendor using the XML format?</p> <p>4 A Again, that would be EDI.</p> <p>5 Q Could you do that via the Lawson EDI</p> <p>6 application?</p> <p>7 A Yes.</p> <p>8 Q On the first bullet point at the bottom of</p> <p>9 the page, it mentions that "Punchout shopping on</p> <p>10 vendor-managed websites through secure connectivity</p> <p>11 between Lawson Requisition and the systems of the</p> <p>12 trading partners and digital marketplaces that are</p> <p>13 exposed to the Internet."</p> <p>14 How is this secure connectivity</p> <p>15 implemented between Lawson Requisition and the</p> <p>16 punchout website?</p> <p>17 A Generally the communication is going to be</p> <p>18 handled via HTTPS. And the security credentials are</p> <p>19 being passed through that.</p> <p>20 Q And are the security credentials also</p> <p>21 passed through the actual Punchout servlet?</p> <p>22 A Yes.</p>
<p>186</p> <p>1 filled their shopping carts, virtually speaking, and</p> <p>2 checked out from the vendor website, the chosen items</p> <p>3 and their costs are returned to the Lawson server,</p> <p>4 where a requisition is created using the Lawson</p> <p>5 Requisitions Self-Service application"? Is that</p> <p>6 correct?</p> <p>7 A That's correct.</p> <p>8 Q If you could turn to the next page, page 8</p> <p>9 of the guide.</p> <p>10 A Mm-hmm.</p> <p>11 Q The first full sentence on that page</p> <p>12 starting with that, it says, "A purchase order is</p> <p>13 then created from the requisition. Depending upon</p> <p>14 vendor capabilities and your unique business</p> <p>15 requirements, Lawson Procurement Punchout and/or EDI</p> <p>16 can be used to send an order to the vendor using</p> <p>17 common protocols such as HTTPS, FTPS, e-mail,</p> <p>18 dial-up, etc. "</p> <p>19 Do you need to have a license to Lawson's</p> <p>20 EDI application in order to transmit the order to the</p> <p>21 vendor?</p> <p>22 A Yes. Via EDI, yes.</p>	<p>188</p> <p>1 Q The last bullet point on the page reads,</p> <p>2 "Prebuilt connectivity B2Bi (business to business</p> <p>3 integration) is prebuilt to an ever-growing number of</p> <p>4 major trading partners. Vendor profiles, connectors,</p> <p>5 are downloadable from the Lawson support site."</p> <p>6 So has Lawson already included</p> <p>7 connectivity to a number of punchout sites in the</p> <p>8 Procurement Punchout application as delivered?</p> <p>9 A No.</p> <p>10 Q Where are these prebuilt connectors</p> <p>11 provided?</p> <p>12 A They're on the Lawson website. And these</p> <p>13 are for partners that we have, that we can connect</p> <p>14 via Punchout. As it says, they're profiles. So it's</p> <p>15 the information as far as how we've tested with them</p> <p>16 that we were able to connect. But it certainly is</p> <p>17 not all the information, because we do not have --</p> <p>18 you need the security credentials. That's between</p> <p>19 the customer and the vendor.</p> <p>20 Q And the customer who licenses the Lawson</p> <p>21 Procurement Punchout application can download this</p> <p>22 information about the connectors to the Lawson</p>

<p>189</p> <p>1 trading partners from the Lawson support site; is</p> <p>2 that correct?</p> <p>3 A Yes. Mm-hmm.</p> <p>4 Q Sorry, we're already answered a lot of</p> <p>5 these questions, so I'm trying to -- can you turn to</p> <p>6 page 13 of the guide.</p> <p>7 A Sure. Okay.</p> <p>8 Q Under the heading "What is Punchout," it</p> <p>9 states that "Punchout refers to the selection of</p> <p>10 items for purchase on a vendor's website. When a</p> <p>11 user clicks the Punchout task on the Lawson</p> <p>12 Requisitions Self-Service home page and then selects</p> <p>13 a vendor, a dynamic link, commonly via HTTP or HTTPS,</p> <p>14 is established between the customer and the vendor."</p> <p>15 What's meant by that term, "dynamic link"?</p> <p>16 A That link is going to be created depending</p> <p>17 on what the different setup information, the profile</p> <p>18 information we previously talked about, as far as how</p> <p>19 to connect with the security credentials, it will</p> <p>20 have to go get all that. So it essentially creates</p> <p>21 a -- the URL on the fly as it -- as you click on that</p> <p>22 link, okay, now what's all the information I need for</p>	<p>191</p> <p>1 with Requisitions Self-Service and Procurement</p> <p>2 Punchout." It bears production numbers ePlus 0621234</p> <p>3 through 280.</p> <p>4 (Christopherson Exhibit 10 was marked for</p> <p>5 identification and attached to the deposition</p> <p>6 transcript.)</p> <p>7 THE WITNESS: Okay.</p> <p>8 BY MS. ALBERT:</p> <p>9 Q Are you familiar with this presentation?</p> <p>10 A I've not seen this one until today.</p> <p>11 Q Do you know if this presentation is also</p> <p>12 found on Lawson's website?</p> <p>13 A Mm-hmm.</p> <p>14 Q Pardon me?</p> <p>15 A I cannot tell from this that it's on there</p> <p>16 or not.</p> <p>17 Q Do you know what the purpose of this</p> <p>18 presentation is?</p> <p>19 A I can gather from looking at it that it</p> <p>20 appears to be like a case study.</p> <p>21 Q What do you mean by the term "case study"?</p> <p>22 A Meaning it's a particular customer saying</p>
<p>190</p> <p>1 that URL to go to Dell? It retrieves that from a</p> <p>2 database and then goes there.</p> <p>3 Q So what information is contained in these</p> <p>4 security credentials that are passed over to the</p> <p>5 punchout site?</p> <p>6 A Maybe a customer ID number, password,</p> <p>7 obviously. Generally it's a customer ID number.</p> <p>8 It's usually not held down to the individual level.</p> <p>9 Q And does that customer ID number allow the</p> <p>10 punchout site to be able to display the products that</p> <p>11 are, you know, with the prenegotiated prices, for</p> <p>12 example, that that customer wants to make available</p> <p>13 to its purchasers?</p> <p>14 A What is going to be displayed is up to the</p> <p>15 customer and the vendor.</p> <p>16 Q But do the security credentials help the</p> <p>17 vendor identify the types of items that are available</p> <p>18 for that particular customer?</p> <p>19 A Yes.</p> <p>20 MS. ALBERT: Can you mark this document,</p> <p>21 the next document, as Christopherson Exhibit 10.</p> <p>22 It's a presentation entitled "Empower Your People</p>	<p>192</p> <p>1 how well Requisitions Self-Service and Procurement</p> <p>2 Punchout was working for them.</p> <p>3 Q So is Trinity Information Services a</p> <p>4 Lawson customer that has licensed Requisitions</p> <p>5 Self-Service and Procurement Punchout?</p> <p>6 A Trinity Health has, yes.</p> <p>7 Q Can you turn to page 2 of the presentation</p> <p>8 that ends with the Bates 235.</p> <p>9 A Yes, I'm there.</p> <p>10 Q Do you see at the top of the page there's</p> <p>11 a reference to a Supply Chain Management Webinar</p> <p>12 Week?</p> <p>13 A Mm-hmm.</p> <p>14 Q Do you know what that Supply Chain</p> <p>15 Management Webinar Week refers to?</p> <p>16 A At one point product management, product</p> <p>17 marketing, was spending time, usually a week in</p> <p>18 duration, for our different products. Supply Chain</p> <p>19 Management would have been one of the suites where</p> <p>20 they would talk, have webinars for potential</p> <p>21 customers to come out and listen. Also existing</p> <p>22 purchasers, maybe they haven't purchased Procurement</p>

<p>193</p> <p>1 Punchout, provide them that opportunity.</p> <p>2 This looks like a list of those</p> <p>3 presentations that we would have been doing that</p> <p>4 week.</p> <p>5 Q Do you know when the last Supply Chain</p> <p>6 Management Webinar Week was held?</p> <p>7 A No, I do not.</p> <p>8 Q Do you have any kind of approximate date,</p> <p>9 year, what year?</p> <p>10 A I have not heard of one being done over</p> <p>11 the last year. So longer than that, it would be my</p> <p>12 recollection.</p> <p>13 Q Can you turn to the page with the Bates</p> <p>14 number ending 239.</p> <p>15 A Okay.</p> <p>16 Q There it talks about Lawson Requisitions</p> <p>17 Self-Service, and it mentions integration with Lawson</p> <p>18 Procurement and Procurement Punchout. What's the</p> <p>19 Lawson Procurement application?</p> <p>20 A In the S3 world we don't have something</p> <p>21 that's called Lawson Procurement. That's probably a</p> <p>22 misnomer on here. It would be the purchasing -- the</p>	<p>195</p> <p>1 over time. But essentially they're somebody that</p> <p>2 we've worked with, we've tested against using our</p> <p>3 Punchout application, so Requisitions Self-Service</p> <p>4 Punchout, taken it to our lab and tested it to make</p> <p>5 sure we have connectivity using cXML standards, and</p> <p>6 that we're returning back the information that we</p> <p>7 would expect, so that as -- the standard includes a</p> <p>8 lot of different options.</p> <p>9 We make sure that before a customer gets</p> <p>10 it, that we've actually gone and we've done</p> <p>11 transactions with one of these. For instance, Dell,</p> <p>12 we know that our application works with Dell, and</p> <p>13 we're able to pull information back and forth.</p> <p>14 Q Does Lawson enter into agreements with</p> <p>15 these entities?</p> <p>16 A There is a partnership agreement, yes.</p> <p>17 Q And what are the terms of that partnership</p> <p>18 agreement?</p> <p>19 A Keith would be a great one, because he</p> <p>20 manages that program.</p> <p>21 Q So do these trading partners provide any</p> <p>22 services to Lawson customers?</p>
<p>194</p> <p>1 Purchase Order and the Requisition software.</p> <p>2 Q So there isn't a product that may have</p> <p>3 been formerly known as Lawson Procurement?</p> <p>4 A I don't recall any off the top of my head.</p> <p>5 Q Is that --</p> <p>6 A On the S3 side.</p> <p>7 Q Could it be a product on the M3 side?</p> <p>8 A I'm not an expert on M3 side. So I</p> <p>9 couldn't answer.</p> <p>10 Q Can you turn to the next page with the</p> <p>11 Bates ending 240.</p> <p>12 A Sure. I'm there.</p> <p>13 Q This page discusses Lawson Procurement</p> <p>14 Punchout. And at the bottom of the page, there's a</p> <p>15 reference to sample trading partners. Do you see</p> <p>16 that?</p> <p>17 A Yes, I do.</p> <p>18 Q And there are some corporate logos above</p> <p>19 that, Office Max, Dell, etc. ?</p> <p>20 A Mm-hmm.</p> <p>21 Q What is a Lawson trading partner?</p> <p>22 A Trading partner, that name has changed</p>	<p>196</p> <p>1 A Clearly they're providing -- the answer is</p> <p>2 yes.</p> <p>3 Q What services do they provide to Lawson</p> <p>4 customers?</p> <p>5 A They are the ones who provide the site</p> <p>6 that we punch out to or that the customer punches out</p> <p>7 to.</p> <p>8 Q And the particular connectors for the --</p> <p>9 to enable access to these punchout catalogs for these</p> <p>10 trading partners, those are the ones that can be</p> <p>11 accessed by the customers via the support, the Lawson</p> <p>12 support website; is that correct?</p> <p>13 A Yes.</p> <p>14 Q Can you turn to the -- I think it's slide</p> <p>15 15, but it's Bates number ePlus 621248.</p> <p>16 A Okay.</p> <p>17 Q And it mentions SCIS project objectives,</p> <p>18 and there are a list of objectives on the page. Do</p> <p>19 you know if Lawson assisted Trinity with the</p> <p>20 implementation of these objectives?</p> <p>21 A I do not know if we specifically did or</p> <p>22 not.</p>

<p>197</p> <p>1 Q Who would you ask to find out that?</p> <p>2 A What I would do is go back to the services</p> <p>3 organization and find out. Or I would look for</p> <p>4 our -- because if we did, also another place is to</p> <p>5 see the actual contract. We've had a services</p> <p>6 contract that we should have had for implementation</p> <p>7 at Trinity to see what was covered.</p> <p>8 Q Where are the services contracts</p> <p>9 maintained?</p> <p>10 A It's a central location withinside of</p> <p>11 WebNow, I believe it is.</p> <p>12 Q What is it, WebNow?</p> <p>13 A I believe it's called WebNow. That's what</p> <p>14 seems to ring a bell.</p> <p>15 Q Do you know if a search of the WebNow</p> <p>16 central location was done in order to collect</p> <p>17 documents to produce in this litigation?</p> <p>18 A I do not.</p> <p>19 Q Who would know the answer to that?</p> <p>20 A They would have to be the legal department</p> <p>21 for that.</p> <p>22 Q Can you turn to slide 24, and that's on</p>	<p>199</p> <p>1 Lawson RSS." So that means that the items that you</p> <p>2 add into your shopping cart at the vendor punchout</p> <p>3 site are brought back to your Lawson Requisitions</p> <p>4 Self-Service shopping cart, correct?</p> <p>5 A Correct.</p> <p>6 Q How is that accomplished?</p> <p>7 A The vendor does a post of a cXML message</p> <p>8 back to the Punchout servlet.</p> <p>9 Q Can you turn to slide 31.</p> <p>10 A Okay.</p> <p>11 Q And this slide is part of a Punchout</p> <p>12 demonstration.</p> <p>13 A Mm-hmm.</p> <p>14 Q Now, is this the same screen that we saw</p> <p>15 earlier on the other demonstration, where we had the</p> <p>16 requisition header information on the left side and</p> <p>17 then the empty shopping cart on the right side?</p> <p>18 A No.</p> <p>19 Q How is it different?</p> <p>20 A Shopping cart is still on the right side.</p> <p>21 And this particular case, the header information --</p> <p>22 and since the screen is actually clear you can see</p>
<p>200</p> <p>1 the page with the Bates number ending 257.</p> <p>2 A Okay.</p> <p>3 Q This slide relates to setting up</p> <p>4 Procurement Punchout in Lawson. It says, "Connection</p> <p>5 information for each vendor is held in the RSS</p> <p>6 configuration." Where is that RSS configuration</p> <p>7 found?</p> <p>8 A It would be on the specific server that's</p> <p>9 running the application, RSS.</p> <p>10 Q So does this connection information come</p> <p>11 with the RSS module as delivered?</p> <p>12 A No.</p> <p>13 Q Is this the same connection information</p> <p>14 that we've been referring to that's available to</p> <p>15 customers via the support website?</p> <p>16 A Yes.</p> <p>17 Q Can you turn to slide 28.</p> <p>18 A Okay.</p> <p>19 Q This slide is illustrating the</p> <p>20 Requisitions Self-Service punchout process flow. If</p> <p>21 you look at the third block in the process flow, that</p> <p>22 block reads, "Shopping cart contents returned back to</p>	<p>200</p> <p>1 that the first tab, which is not highlighted, is</p> <p>2 called Basic. In fact it's the third tab which is</p> <p>3 Accounting Information is selected. So Accounting</p> <p>4 Information is shown.</p> <p>5 Q And then once you -- the demonstrator here</p> <p>6 has clicked on the Find/Shop dropdown menu and is</p> <p>7 highlighting the Punchout selection on that dropdown</p> <p>8 menu. If you clicked on that Punchout from the</p> <p>9 dropdown menu, what would be the next screen that</p> <p>10 would be presented to the user?</p> <p>11 A Then you would see a list of the potential</p> <p>12 punchout providers that you could go to. It could be</p> <p>13 one provider, it could be multiple.</p> <p>14 Q Can you turn to the next slide.</p> <p>15 A Yes.</p> <p>16 Q So in this case, in the demonstration, the</p> <p>17 user has four different punchout vendor sites from</p> <p>18 which to select in order to search for items; is that</p> <p>19 correct?</p> <p>20 A That's correct.</p> <p>21 Q And the user can then select from among</p> <p>22 these multiple vendor sites one that they would like</p>

<p>201</p> <p>1 to search for items; is that correct?</p> <p>2 A That is correct.</p> <p>3 Q Can you turn to the next slide, slide 33.</p> <p>4 A Mm-hmm.</p> <p>5 Q So what does this slide illustrate?</p> <p>6 A At this particular point, coming after the</p> <p>7 previous one where it was Corporate Express, it</p> <p>8 essentially would say that this is the next, you</p> <p>9 punched out to the site, in this case it's Staples,</p> <p>10 so it's a Staples website that we punched out to. So</p> <p>11 we passed the security credentials and we've started</p> <p>12 it up.</p> <p>13 Q Why is the Lawson logo still on the</p> <p>14 screen?</p> <p>15 A The Lawson logo, again, that could be</p> <p>16 replaced with a customer logo. That's -- the site</p> <p>17 itself is set up depending on how the customer wants</p> <p>18 that.</p> <p>19 Q And here the demonstrator is saying in the</p> <p>20 explanation box that "There are several ways to</p> <p>21 navigate on vendor-specific sites. In this example</p> <p>22 we will search by category." On this particular</p>	<p>203</p> <p>1 Q Under the category selections, there are</p> <p>2 manufacturer selections on the left hand side.</p> <p>3 A Okay. Gotcha. Okay. I wouldn't say you</p> <p>4 can search. You can look at the 143 items that they</p> <p>5 have from 3M.</p> <p>6 Q So all of those items have been associated</p> <p>7 with 3M, correct?</p> <p>8 A Right.</p> <p>9 Q So here it appears that the user is going</p> <p>10 to click on the Paper, Pads, and Rolls category. And</p> <p>11 do you know what screen you will be presented next?</p> <p>12 A Probably you would be presented with</p> <p>13 either a -- further subcategories or you might be</p> <p>14 presented with a screen with 385 items. Or you might</p> <p>15 be presented with both. Again, this is Staples, and</p> <p>16 the deeper we dig into Staples -- I'm not a Staples</p> <p>17 expert.</p> <p>18 Q Turn to the next slide.</p> <p>19 A Mm-hmm.</p> <p>20 Q So on the left, under the categories after</p> <p>21 the user selected on the Paper, Pads, and Rolls</p> <p>22 category, as you had mentioned, the user is presented</p>
<p>202</p> <p>1 vendor site, there's also the capability to search by</p> <p>2 keywords; is that correct?</p> <p>3 A Yes.</p> <p>4 Q And there's also the capability to search</p> <p>5 by item number?</p> <p>6 A That is correct.</p> <p>7 Q With the radio button there?</p> <p>8 A Mm-hmm.</p> <p>9 Q And there's also a capability to input a</p> <p>10 search query into the input box next to the search</p> <p>11 button; is that correct?</p> <p>12 A I would disagree with that.</p> <p>13 Q Why would you disagree with that?</p> <p>14 A The search query appears to be limited to</p> <p>15 just keyword or item number only. So the radio box</p> <p>16 is determining what of the two probably fields within</p> <p>17 their database. But again, that's Staples. I</p> <p>18 couldn't tell you how Staples's site is working</p> <p>19 behind the scenes.</p> <p>20 Q And on this particular vendor's sight you</p> <p>21 can also search by manufacturer; is that correct?</p> <p>22 A I don't see where --</p>	<p>204</p> <p>1 with subcategories beneath that category. Do you see</p> <p>2 that?</p> <p>3 A I do.</p> <p>4 Q So the categories are arranged</p> <p>5 hierarchically, and you can drill down to more</p> <p>6 specific types of paper, pads, and rolls; is that</p> <p>7 correct?</p> <p>8 A That's correct.</p> <p>9 Q Can you turn to the next slide, page 35.</p> <p>10 A Okay.</p> <p>11 Q And here in the Categories box on the</p> <p>12 left, after the user clicked on the Office Paper</p> <p>13 subcategory, the user is presented with a further</p> <p>14 drilldown of more specific types of office papers.</p> <p>15 Is that correct?</p> <p>16 A That is correct.</p> <p>17 Q Can you turn to the next slide, page 36.</p> <p>18 A Mm-hmm.</p> <p>19 Q Would this display on this screen be</p> <p>20 something that might be referred to as an item detail</p> <p>21 page?</p> <p>22 A Could be referred to it as that, yes.</p>

<p>205</p> <p>1 Q We have a specific Hammermill Fore MP</p> <p>2 Express Pack Paper that's being displayed here,</p> <p>3 correct?</p> <p>4 A Yes, we do.</p> <p>5 Q And here in the Item Detail page, do you</p> <p>6 see where it indicates the availability of that item?</p> <p>7 A The 284?</p> <p>8 Q Right.</p> <p>9 A That's what's available at Staples.</p> <p>10 Q What happens once the user clicks to add</p> <p>11 this particular item to the cart by clicking on the</p> <p>12 button "Add to Cart"?</p> <p>13 A That's internal to Staples.</p> <p>14 Q So that isn't at the point where it would</p> <p>15 be brought back to the Requisitions Self-Service</p> <p>16 shopping cart?</p> <p>17 A No. Uh-uh. It would probably -- best</p> <p>18 educated guess, doing online shopping, Add to Cart</p> <p>19 would probably add that item to the cart at Staples.</p> <p>20 Q Okay. Can you turn to the next slide,</p> <p>21 page 37.</p> <p>22 A Sure.</p>	<p>207</p> <p>1 shopping cart, along with the totals, the monetary</p> <p>2 side, estimated tax.</p> <p>3 Q Do you see in the warning box there, the</p> <p>4 last line indicates, "All delivery information should</p> <p>5 be selected in your Lawson system to be provided on</p> <p>6 the," and then something's obscured there. Do you</p> <p>7 know why all delivery information should be selected</p> <p>8 in your Lawson system?</p> <p>9 A This is, again, a Staples site. So now</p> <p>10 you're going -- at this point I can't answer.</p> <p>11 Q That's not a standard type of a warning</p> <p>12 that is given to a Requisitions Self-Service user</p> <p>13 when shopping at a punchout site?</p> <p>14 A It's going to vary depending on the</p> <p>15 representative vender. You're at the vendor's site.</p> <p>16 So Lawson has no control over information that's</p> <p>17 being displayed there.</p> <p>18 Q Let's turn to the slide on page 40.</p> <p>19 A Okay.</p> <p>20 Q Is this the final stage of the process of</p> <p>21 shopping at the vendor punchout site before bringing</p> <p>22 the contents of the shopping cart back into your</p>
<p>206</p> <p>1 Q So is this screen presenting the shopping</p> <p>2 cart at the Staples site?</p> <p>3 A That is correct.</p> <p>4 Q So the user clicked to add that to the</p> <p>5 cart, and it was added to the Staples cart?</p> <p>6 A Mm-hmm.</p> <p>7 Q And what happens if the user clicks on the</p> <p>8 Continue button to continue to process?</p> <p>9 A That's on the Staples site.</p> <p>10 Q That's not the point where it's brought</p> <p>11 back to --</p> <p>12 A It's not brought back, no.</p> <p>13 Q How do you tell the point where it's</p> <p>14 brought back to the Requisitions Self-Service</p> <p>15 shopping cart?</p> <p>16 A It's going to depend on the vendor site.</p> <p>17 It might be a checkout button. Do you want me to</p> <p>18 look further?</p> <p>19 Q Can you turn to the slide on page 39.</p> <p>20 A Mm-hmm. I'm there.</p> <p>21 Q What's displayed on that page?</p> <p>22 A There's an order summary of what is in the</p>	<p>208</p> <p>1 Requisitions Self-Service shopping cart?</p> <p>2 A For the Staples site as it was set up for</p> <p>3 this particular customer, it certainly does appear</p> <p>4 that.</p> <p>5 Q Can you turn to the next slide, page 41.</p> <p>6 A Mm-hmm.</p> <p>7 Q And what's displayed on this slide?</p> <p>8 A Now, the other window, because remember,</p> <p>9 we would have always had two windows up, now what</p> <p>10 we've seen is that the item that we punched out to</p> <p>11 from the Staples site has now been returned and has</p> <p>12 now been placed in my cart or my shopping cart</p> <p>13 withinside of Requisitions Self-Service.</p> <p>14 Q Thank you. I think I'm done with that</p> <p>15 particular document.</p> <p>16 MS. ALBERT: Let me mark as Christopherson</p> <p>17 Exhibit 11 a presentation entitled "Lawson S3</p> <p>18 Requisitions Self-Service and Procurement Punchout</p> <p>19 Field Enablement." It bears production numbers L</p> <p>20 0135034 through 092.</p> <p>21 (Christopherson Exhibit 11 was marked for</p> <p>22 identification and attached to the deposition</p>

<p>209</p> <p>1 transcript.)</p> <p>2 THE WITNESS: Okay.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q Are you familiar with this presentation?</p> <p>5 A It's the first time I've seen this</p> <p>6 specific presentation.</p> <p>7 Q Have you seen similar presentations?</p> <p>8 A I have not for Requisitions Self-Service</p> <p>9 or for Punchout. But for some of our other products,</p> <p>10 I have.</p> <p>11 Q Do you know to whom this presentation was</p> <p>12 given?</p> <p>13 A Yes, it would have been given to our -- in</p> <p>14 this case it's referring to field enablement. That's</p> <p>15 our services team, our professional -- LPS</p> <p>16 organization. So the people who would be going out</p> <p>17 to customer sites.</p> <p>18 Q So people in product management provide</p> <p>19 presentations to the professional services personnel?</p> <p>20 A Mm-hmm.</p> <p>21 Q For what purpose?</p> <p>22 A It tells them what's going -- what is --</p>	<p>211</p> <p>1 Q So what's used now instead of the Web</p> <p>2 Methods product?</p> <p>3 A Our own product.</p> <p>4 Q Did that change the functionality of</p> <p>5 Procurement Punchout in any way?</p> <p>6 A No.</p> <p>7 Q And it also mentions that you're going to</p> <p>8 provide Lawson-delivered functionality for cXML</p> <p>9 purchase orders using Process Flow 9. Do you see</p> <p>10 that?</p> <p>11 A Mm-hmm.</p> <p>12 Q Was there any functionality in the prior</p> <p>13 version for delivering purchase orders?</p> <p>14 A Purchase orders have existed since the</p> <p>15 1980s within Lawson.</p> <p>16 Q So what was the difference between</p> <p>17 functionality in the two different versions?</p> <p>18 A I don't know what they're actually</p> <p>19 thinking. Clearly cXML, which has to do with</p> <p>20 Punchout, is something key in that particular piece.</p> <p>21 So -- and this, the date on this is 2007. So two</p> <p>22 years ago.</p>
<p>210</p> <p>1 usually when we come up with a release, what's gone</p> <p>2 on with that release, what are the major enhancements</p> <p>3 that have been out in there. If there's changes in</p> <p>4 pricing strategies. What's going on in our business</p> <p>5 area with that.</p> <p>6 Q Do you know who Burke Stucker is?</p> <p>7 A I do not.</p> <p>8 Q Do you know if he's still at Lawson?</p> <p>9 A I do not.</p> <p>10 Q Can you turn to the page with the Bates</p> <p>11 number L 0135078.</p> <p>12 A Okay.</p> <p>13 Q This page talks about "What's new, Lawson</p> <p>14 Procurement Punchout." And it's mentioning Lawson</p> <p>15 Procurement Punchout version 8.1.0.52.</p> <p>16 A Mm-hmm.</p> <p>17 Q And 9.0.0.3. The first bullet under there</p> <p>18 states, "Sunset use of Web Methods with Procurement</p> <p>19 Punchout." What's "Web Methods" refer to there?</p> <p>20 A Web Methods was a third party product that</p> <p>21 we were using in the early versions of Procurement</p> <p>22 Punchout that helped enable the communications.</p>	<p>212</p> <p>1 Q And at the bottom of the page, they're</p> <p>2 mentioning some changes that are being added to the</p> <p>3 9.0.0.4 version of Lawson Procurement Punchout. One</p> <p>4 relates to the ability to map extra data elements</p> <p>5 from a punchout order to an REQ. Can you describe</p> <p>6 the nature of that functionality?</p> <p>7 A What we were probably doing at that point</p> <p>8 was expanding our use of the cXML. And we get this</p> <p>9 from time to time, where vendors are using additional</p> <p>10 fields that we're not using at this particular moment</p> <p>11 because we've had no vendors ask for that. So then</p> <p>12 we'll add the additional field capability.</p> <p>13 Q And then there's going to be new</p> <p>14 functionality in version 9.0.0.4 to punch out to</p> <p>15 multi-vendor catalogs, do you see that?</p> <p>16 A Mm-hmm.</p> <p>17 Q What's an example of a multi-vendor</p> <p>18 catalog that's available through Punchout?</p> <p>19 A A SciQuest.</p> <p>20 Q So does the current version of Procurement</p> <p>21 Punchout have the capability to punch out to</p> <p>22 multi-vendor catalogs?</p>

<p>213</p> <p>1 A It does have the ability to punch out to</p> <p>2 someone such as SciQuest, yes.</p> <p>3 Q Can you turn to the page with the Bates</p> <p>4 number ending 5084.</p> <p>5 A Okay.</p> <p>6 Q And we've talked about previously that</p> <p>7 trading partners are included as part of the</p> <p>8 application download from support.lawson.com.</p> <p>9 A Mm-hmm.</p> <p>10 Q It also mentions on this page that new</p> <p>11 trading partners can be added via a Lawson</p> <p>12 Professional Services code development engagement.</p> <p>13 So will Lawson perform implementation services to</p> <p>14 implement the Punchout connectivity to a new trading</p> <p>15 partner if requested by a Lawson customer?</p> <p>16 A Trading partner, the word "partner" might</p> <p>17 be a bit strong. If a customer wants to connect to a</p> <p>18 vendor who is not one of our trading partners but</p> <p>19 they support the cXML standard, then they can use the</p> <p>20 services organization to connect them.</p> <p>21 Q Can you turn to the page with the Bates</p> <p>22 number ending 5086.</p>	<p>215</p> <p>1 the amount as far as the annual. The initial setup</p> <p>2 fee, I know we've increased that. I believe it's</p> <p>3 currently sitting at \$2,000.</p> <p>4 Q And who develops the punchout connectivity</p> <p>5 that's referenced there by "Development of punchout</p> <p>6 connectivity"?</p> <p>7 A That is my team.</p> <p>8 Q Then --</p> <p>9 A If I could add, my team, but usually the</p> <p>10 vendor is the one that has to also -- it requires</p> <p>11 both sides to do it.</p> <p>12 Q And you have to test it with the vendor in</p> <p>13 order to make sure that it works?</p> <p>14 A Correct. So we have a project, or a -- we</p> <p>15 have -- Punchout today works. Most customers or most</p> <p>16 vendors, there shouldn't be much work that we have to</p> <p>17 do. But it's not until we actually connect with them</p> <p>18 that we find out maybe they're using something we</p> <p>19 didn't expect, or we're using something they didn't</p> <p>20 expect. Then we've got to negotiate who's going to</p> <p>21 do what work.</p> <p>22 Q And by access to specs, who is given</p>
<p>214</p> <p>1 A Okay.</p> <p>2 Q On this page it's describing the partner</p> <p>3 program for Punchout. And it gives a program</p> <p>4 overview here. There's a standard agreement, annual</p> <p>5 fee, plus initial setup fee.</p> <p>6 A Mm-hmm.</p> <p>7 Q Development of punchout connectivity, and</p> <p>8 partner benefits such as invitation to CUE, listing</p> <p>9 as a partner, access to specs, do you see that?</p> <p>10 A Yes, I do.</p> <p>11 Q Who pays these annual fees and initial</p> <p>12 setup fees that are referenced there?</p> <p>13 A The vendor.</p> <p>14 Q The trading partner?</p> <p>15 A Yes.</p> <p>16 Q And do you know what the trading partner</p> <p>17 fee, annual fee is?</p> <p>18 A I know I've heard it, because Keith and I</p> <p>19 talk about it quite often. It's my team that's</p> <p>20 actually delivering the services of ensuring that</p> <p>21 they're qualified to be in the partner program. So</p> <p>22 we've had discussions over it. Keith would remember</p>	<p>216</p> <p>1 access to specs?</p> <p>2 A The vendors are given access to our</p> <p>3 specifications as far as how we treat the cXML</p> <p>4 messages.</p> <p>5 Q Where are those specs? You know, is there</p> <p>6 a centralized place where those specs can be found?</p> <p>7 A They would be definitely within our share</p> <p>8 drive within product development. The person who</p> <p>9 would actually manage those for me would be Dwight</p> <p>10 Delancy, who we talked about earlier today.</p> <p>11 MS. ALBERT: Counsel, I would request that</p> <p>12 you produce a copy of those Punchout specifications.</p> <p>13 MR. SCHULTZ: I will look into that.</p> <p>14 BY MS. ALBERT:</p> <p>15 Q Do you see there there's a reference to</p> <p>16 Catherine Murphy?</p> <p>17 A Yes, I do.</p> <p>18 Q Do you know who she is?</p> <p>19 A I don't recall offhand. I don't believe</p> <p>20 I've met her.</p> <p>21 Q Do you know if she's still at Lawson?</p> <p>22 A I do not.</p>

<p>217</p> <p>1 Q Who manages the Procurement Punchout</p> <p>2 product?</p> <p>3 A As far as what part of the life cycle?</p> <p>4 Q Well, why don't you tell me who manages</p> <p>5 each part of the life cycle.</p> <p>6 A Okay. Darci Snyder represents product</p> <p>7 management, we talked about her earlier today. With</p> <p>8 Punchout, most of the product management direction</p> <p>9 and product strategy comes from the product</p> <p>10 strategist, Keith Lohkamp. The actual development,</p> <p>11 QA, the creation of the deliverables, is managed by</p> <p>12 myself.</p> <p>13 Q Can you turn to the page with the Bates</p> <p>14 number ending 5088.</p> <p>15 A Sure.</p> <p>16 Q This page relates to product packaging and</p> <p>17 pricing.</p> <p>18 A Mm-hmm.</p> <p>19 Q The first reference is to Lawson</p> <p>20 Requisitions Self-Service. It talks about a \$40,000</p> <p>21 base price that includes a hundred named users,</p> <p>22 additional users available on a sliding scale. Do</p>	<p>219</p> <p>1 A Yes.</p> <p>2 MS. ALBERT: Let me have the reporter mark</p> <p>3 as Christopherson Exhibit 12 a documented entitled</p> <p>4 "Procurement Punchout FAQ," bearing production number</p> <p>5 L 0135319 through 328.</p> <p>6 (Christopherson Exhibit 12 was marked for</p> <p>7 identification and attached to the deposition</p> <p>8 transcript.)</p> <p>9 THE WITNESS: Okay.</p> <p>10 BY MS. ALBERT:</p> <p>11 Q Are you familiar with this document?</p> <p>12 A A little bit, but not in great detail.</p> <p>13 I've seen it once or twice before.</p> <p>14 Q Do you know where these Procurement</p> <p>15 Punchout FAQs are maintained?</p> <p>16 A Yes.</p> <p>17 Q Where is that?</p> <p>18 A It's on a wiki page withinside of Lawson's</p> <p>19 internal network that we use in product development</p> <p>20 primarily.</p> <p>21 Q And we see at the bottom there's a URL,</p> <p>22 http://www.lawson.com/. That's the wiki you're</p>
<p>218</p> <p>1 you know what the current base price is for the</p> <p>2 Requisitions Self-Service?</p> <p>3 A As I mentioned earlier, I do not.</p> <p>4 Q Who would you ask if you wanted to</p> <p>5 determine that information?</p> <p>6 A As I mentioned earlier, I would look at</p> <p>7 the order forms, and then I would also check with</p> <p>8 Keith.</p> <p>9 Q Do you know what the sliding scale is for</p> <p>10 additional users that's referenced there?</p> <p>11 A No, I do not.</p> <p>12 Q Do you know how many additional users you</p> <p>13 get at each increased level of cost?</p> <p>14 A No.</p> <p>15 Q And underneath that, there is some pricing</p> <p>16 provided for Lawson Procurement Punchout. It</p> <p>17 mentions a \$35,000 base, and also additional users</p> <p>18 available on a sliding scale. Do you remember what</p> <p>19 the current base price is for Procurement Punchout?</p> <p>20 A No, I do not.</p> <p>21 Q And again, would you go to the order form</p> <p>22 or ask Keith Lohkamp?</p>	<p>220</p> <p>1 referring to?</p> <p>2 A Correct.</p> <p>3 Q And some information was added by Dwight</p> <p>4 Delancy, and also the information was last edit by</p> <p>5 Dwight Delancy on May 11th, 2009. And Mr. Delancy is</p> <p>6 who you referenced as being the product manager for</p> <p>7 Procurement Punchout; is that correct?</p> <p>8 A No, he is the developer.</p> <p>9 Q Developer. And he's still at Lawson</p> <p>10 currently?</p> <p>11 A Yes, he is.</p> <p>12 Q And he's still in that position as</p> <p>13 developer of Procurement Punchout?</p> <p>14 A Correct.</p> <p>15 Q Who has access to this FAQ information?</p> <p>16 A Anyone withinside of Lawson.</p> <p>17 Q What's the purpose for having these FAQs?</p> <p>18 A This particular one is caused at times by</p> <p>19 our server -- essentially our services people, they</p> <p>20 may be Dwight's, fielded the same question four or</p> <p>21 five times over let's say three or four months or six</p> <p>22 months or whatever, coming from the services</p>

<p>221</p> <p>1 organization. And rather than trying to answer it</p> <p>2 all the time, he's basically putting it out. That's</p> <p>3 what FAQs are, frequently asked questions. So he's</p> <p>4 putting out information or may be updating</p> <p>5 information from time to time as things change.</p> <p>6 Q Do you see in the middle of the page,</p> <p>7 under the heading "Lawson Procurement Punchout, FAQs</p> <p>8 for internal reference only," the first sentence</p> <p>9 states, "This document is intended to be a guide to</p> <p>10 help answer customer and prospect questions." Do you</p> <p>11 see that?</p> <p>12 A Mm-hmm.</p> <p>13 Q So was this prepared to enable Lawson</p> <p>14 personnel to answer customer and prospective customer</p> <p>15 questions about Procurement Punchout?</p> <p>16 A Correct.</p> <p>17 Q And under "Version and functionality</p> <p>18 FAQs," the first note on the first page notes that</p> <p>19 "The product has been rebranded and renamed.</p> <p>20 Generally speaking the 8.X versions found on</p> <p>21 http://support.lawson.com under the Product Downloads</p> <p>22 link are labeled e-Procurement, while the 9.X</p>	<p>223</p> <p>1 page reads, "Procurement Punchout 8.1.0.5.X and</p> <p>2 9.0.0.X are essentially the same application with</p> <p>3 almost no differences." So does that confirm your</p> <p>4 understanding that there weren't any functional</p> <p>5 differences between the 9.0 version and the prior 8.X</p> <p>6 version?</p> <p>7 A Correct. No significant differences,</p> <p>8 right.</p> <p>9 Q Towards the bottom of that page there's a</p> <p>10 question reading, "Do the primary Procurement</p> <p>11 Punchout components automatically get installed along</p> <p>12 with RSS? How does this impact database sizing?" Do</p> <p>13 you see that question?</p> <p>14 A Mm-hmm.</p> <p>15 Q And the first sentence under the answer</p> <p>16 reads, "Yes, roughly 98 percent of the code that</p> <p>17 makes up Punchout is bundled with RSS." So is it</p> <p>18 correct then that the RSS application contains the</p> <p>19 primary Procurement Punchout components as delivered?</p> <p>20 A The key is the very next sentence, and</p> <p>21 that is, "However, Procurement Punchout will not</p> <p>22 function without the remote Punchout servlet</p>
<p>222</p> <p>1 versions can be found under the Procurement Punchout</p> <p>2 moniker."</p> <p>3 Does that refresh your recollection that</p> <p>4 Procurement Punchout had a prior name?</p> <p>5 A I did know it had a prior name, so yes,</p> <p>6 this confirms that.</p> <p>7 Q And it confirmed that the prior brand name</p> <p>8 for the product was e-Procurement?</p> <p>9 A Correct.</p> <p>10 Q Do you know when that name change</p> <p>11 occurred?</p> <p>12 A Clearly it changed names when you got to</p> <p>13 the 9 versions.</p> <p>14 Q When was the 9 version released?</p> <p>15 A Again, based on what I had said earlier,</p> <p>16 it was sometime after I returned to England. I</p> <p>17 believe that to be either 2005, 2006 time frame. And</p> <p>18 that would be covered also in the interrogatories.</p> <p>19 Q And can you turn to the page with the</p> <p>20 Bates number ending 321.</p> <p>21 A Okay.</p> <p>22 Q The answer to the first question on that</p>	<p>224</p> <p>1 component and the post install configuration steps."</p> <p>2 So the remote Punchout servlet is not installed. So</p> <p>3 without that, you don't have the communication.</p> <p>4 Q So you need to have both the Requisitions</p> <p>5 Self-Service and the Procurement Punchout, you need</p> <p>6 to license both of those in order to have the</p> <p>7 Punchout functionality?</p> <p>8 A Yes, as we stated earlier. Correct.</p> <p>9 Q Can you turn to the next page with the</p> <p>10 Bates number ending 322.</p> <p>11 A Okay.</p> <p>12 Q Starting with the second sentence of the</p> <p>13 first answer on that page, it states that "Lawson</p> <p>14 recommends this because the RPS forwards from RSS the</p> <p>15 Request to Punch Out document to the vendor and</p> <p>16 temporarily receives (caches) shopping cart data sent</p> <p>17 by the vendor back to the requester at the end of the</p> <p>18 punchout session. The RPS acts as the point of</p> <p>19 contact between the customers and the vendor's</p> <p>20 network."</p> <p>21 Does the RPS refer to that remote Punchout</p> <p>22 servlet?</p>

<p>225</p> <p>1 A Correct.</p> <p>2 Q And RSS refers to Requisitions</p> <p>3 Self-Service?</p> <p>4 A Correct.</p> <p>5 Q Is this typically what happens when a</p> <p>6 Requisitions Self-Service user clicks on a Punchout</p> <p>7 catalog item from the Requisitions Self-Service</p> <p>8 application?</p> <p>9 A Mm-hmm. And also then when the data is</p> <p>10 returned.</p> <p>11 Q Can you turn to the page with the Bates</p> <p>12 number ending 323.</p> <p>13 A Okay.</p> <p>14 Q Towards the bottom of the page there's a</p> <p>15 reference to LSF 9, do you see that?</p> <p>16 A Mm-hmm.</p> <p>17 Q What does that refer to?</p> <p>18 A That is Lawson's System Foundation,</p> <p>19 version 9.</p> <p>20 Q What is Lawson's System Foundation?</p> <p>21 A So far today what we've talked about, with</p> <p>22 the exception of maybe two or three sentences,</p>	<p>227</p> <p>1 Supply Chain Management.</p> <p>2 Q Then right after that there's a reference</p> <p>3 to Lawson EDI Professional for Supply Chain</p> <p>4 Management. Do you see that?</p> <p>5 A Mm-hmm.</p> <p>6 Q What's the difference between those two</p> <p>7 products or applications?</p> <p>8 A That I do not know.</p> <p>9 Q Who would you ask if you wanted to find</p> <p>10 out that?</p> <p>11 A I would go to Brent Honedel, who we talked</p> <p>12 about earlier today.</p> <p>13 Q I think I'm done with that document.</p> <p>14 A Okay.</p> <p>15 MS. ALBERT: I'll have the reporter mark</p> <p>16 as Christopherson Exhibit 13 a presentation entitled</p> <p>17 "Punchout Partner Program." It bears production</p> <p>18 numbers LE 00017985 through 991.</p> <p>19 (Christopherson Exhibit 13 was marked for</p> <p>20 identification and attached to the deposition</p> <p>21 transcript.)</p> <p>22 THE WITNESS: Okay.</p>
<p>226</p> <p>1 Lawson's applications. But there's a technology</p> <p>2 layer that sits below that. And that's what this is,</p> <p>3 is the Lawson System Foundation.</p> <p>4 Q So do you need to license Lawson System</p> <p>5 Foundation in order to use any of these applications</p> <p>6 that we've been talking about today?</p> <p>7 A Yes, in version 9 and above. Yes.</p> <p>8 Q And there is a separate license fee</p> <p>9 associated with Lawson System Foundation?</p> <p>10 A Yes.</p> <p>11 Q Towards the bottom of the page there's a</p> <p>12 reference to Lawson EDI for Supply Chain Management.</p> <p>13 And then there's another reference to Lawson EDI</p> <p>14 Professional --</p> <p>15 A Where are you at?</p> <p>16 Q At the very bottom of the page with the</p> <p>17 Bates number ending 323.</p> <p>18 A 323, right.</p> <p>19 Q There's a reference in the italicized text</p> <p>20 to Lawson EDI for Supply Chain Management. Do you</p> <p>21 see that?</p> <p>22 A Okay. You will need, yes, Lawson EDI for</p>	<p>228</p> <p>1 BY MS. ALBERT:</p> <p>2 Q Have you ever seen this presentation</p> <p>3 before?</p> <p>4 A I have seen this several months ago.</p> <p>5 Q What is the purpose of this presentation?</p> <p>6 A This one here informs vendors who are</p> <p>7 interested in becoming a Lawson punchout provider a</p> <p>8 little bit about the program. Keith uses it to guide</p> <p>9 his conversations with them.</p> <p>10 Q Can you turn to the page with the Bates</p> <p>11 number ending 986.</p> <p>12 A Okay.</p> <p>13 Q So there's a reference there to both</p> <p>14 Punchout and EDI trading partners. Do you see that?</p> <p>15 A Yes, I do.</p> <p>16 Q So does Lawson also have a trading partner</p> <p>17 program for EDI trading partners in addition to the</p> <p>18 trading partner program with the Procurement Punchout</p> <p>19 partners?</p> <p>20 A I do not know if they do or not.</p> <p>21 Q Who would know the answer to that?</p> <p>22 A Keith would know that.</p>

<p>229</p> <p>1 Q And do you have any idea what the annual</p> <p>2 fees are for the EDI trading partners?</p> <p>3 A Since I'm not aware of the program, then</p> <p>4 no, I wouldn't.</p> <p>5 Q Can you turn to the page with the Bates</p> <p>6 number ending 988.</p> <p>7 A Okay.</p> <p>8 Q Do you see under "Annual fee" it says that</p> <p>9 each partner will be charged an annual fee of \$1,000?</p> <p>10 A Correct.</p> <p>11 Q Do you know if that's the current annual</p> <p>12 fee?</p> <p>13 A I know that this isn't the most current</p> <p>14 information in the document, from my quick scan of</p> <p>15 it. I do not know what the annual fee is. It very</p> <p>16 well may. It appears to be information that's a</p> <p>17 couple of months old.</p> <p>18 Q You said that you know that this isn't the</p> <p>19 most current information in the document. What leads</p> <p>20 you to believe that this is not the most current</p> <p>21 information in the document?</p> <p>22 A If you turn to the next page, number 989,</p>	<p>231</p> <p>1 it's not like they can just sit down and implement it</p> <p>2 all at once. What you may and usually do find is the</p> <p>3 customer's network is not configured correctly. So</p> <p>4 as they're testing, they find an issue, turn it back</p> <p>5 over. They usually have some sort of control board.</p> <p>6 It may take a week or two to change a firewall.</p> <p>7 So they're -- so it's bits and pieces of</p> <p>8 time scattered amongst. But it shouldn't take longer</p> <p>9 than a day.</p> <p>10 Q So even though there's the \$2,000 per day</p> <p>11 development rate, you're making an allocation based</p> <p>12 on the number of hours somehow?</p> <p>13 A You've changed the context of your</p> <p>14 question there, compared to the last question.</p> <p>15 Q What's the typical charge that would apply</p> <p>16 for an implementation such as I mentioned, where the</p> <p>17 professional services person that's going to do the</p> <p>18 implementation has a degree of familiarity and the</p> <p>19 trading partner is already a member of the Lawson</p> <p>20 trading partner program?</p> <p>21 A That's going to -- it's usually going to</p> <p>22 be bundled in with a lot of other services, so it may</p>
<p>230</p> <p>1 on that particular page, about two thirds of the way</p> <p>2 down it says the current development rate is \$750 per</p> <p>3 day. I know that we've moved that up.</p> <p>4 Q How much is the current development rate?</p> <p>5 A I believe that's \$2,000 a day.</p> <p>6 Q How many days does it typically take to</p> <p>7 implement a punchout connection between a Lawson</p> <p>8 customer and a Punchout partner site?</p> <p>9 A It's going to depend on the knowledge of</p> <p>10 the services person first, and whether or not they're</p> <p>11 in our program or not. So it's extremely variable.</p> <p>12 Q So assuming that the services person had</p> <p>13 performed punchout connections in the past and had</p> <p>14 familiarity with it, and assume that the vendor to</p> <p>15 whom the Lawson customer wishes to connect was</p> <p>16 already a member of the Lawson trading partner</p> <p>17 program, what would be the typical length of time it</p> <p>18 would take to connect the Lawson customer's system to</p> <p>19 the trading partner site?</p> <p>20 A The amount of time spent by the services</p> <p>21 person and the vendor should be fairly minimal. It</p> <p>22 may stretch out over several days or weeks, because</p>	<p>232</p> <p>1 not be a special line item that's calling it out. It</p> <p>2 should be that small.</p> <p>3 Q Well, can you give me an estimate for what</p> <p>4 the charge would be that would be allocable to those</p> <p>5 services?</p> <p>6 A Probably a day.</p> <p>7 Q Even though it's spread out over a couple</p> <p>8 of weeks in time?</p> <p>9 A Correct. A lot of it can be done</p> <p>10 remotely. Clearly, depending on the customer's</p> <p>11 situation, if they want it all done on-site and</p> <p>12 they're not configured correctly, then costs may go</p> <p>13 up, because time may go up, not due to the -- you</p> <p>14 know, if you've got to travel back 20 times only to</p> <p>15 find out the network still is not configured</p> <p>16 correctly, then the customer is going to be burdening</p> <p>17 that cost.</p> <p>18 Q I think I'm done with that document.</p> <p>19 MS. ALBERT: Let me ask the reporter to</p> <p>20 mark as Christopherson Exhibit 14 a document entitled</p> <p>21 "Lawson Procurement Punchout Trading Partner List,</p> <p>22 Version 8.X and 9.0." It bears production numbers L</p>

<p>233</p> <p>1 0046359 through 363.</p> <p>2 (Christopherson Exhibit 14 was marked for</p> <p>3 identification and attached to the deposition</p> <p>4 transcript.)</p> <p>5 THE WITNESS: Okay.</p> <p>6 BY MS. ALBERT:</p> <p>7 Q Are you familiar with the document that's</p> <p>8 been marked as Christopherson Exhibit 14?</p> <p>9 A Yes.</p> <p>10 Q What is this document?</p> <p>11 A It's a list of the people that have gone</p> <p>12 through our Punchout trading partner program.</p> <p>13 Q And is this type of documentation</p> <p>14 available to customers through the support website?</p> <p>15 A Yes.</p> <p>16 Q Do you know if this is the most current</p> <p>17 version of the Punchout trading partner list?</p> <p>18 A I do not believe we've created another one</p> <p>19 since this one.</p> <p>20 Q Who authored this document?</p> <p>21 A This document, again, would come from</p> <p>22 within my team and stuff. So...</p>	<p>235</p> <p>1 Q In the second paragraph from the bottom of</p> <p>2 the page, the first sentence reads, "As specified</p> <p>3 below, Lawson delivers generic punchout transaction</p> <p>4 sets and cXM LPO formats for the list of trading</p> <p>5 partners." So Lawson delivers these punchout</p> <p>6 transaction sets in cXML Purchase Order formats with</p> <p>7 the Procurement Punchout product out of the box; is</p> <p>8 that correct?</p> <p>9 A Yes.</p> <p>10 Q And the trading partners that are listed</p> <p>11 in the table that starts on the page ending with the</p> <p>12 Bates number 361 and continues through the page with</p> <p>13 the Bates number ending 363, are those the Punchout</p> <p>14 trading partners for which Lawson has these Punchout</p> <p>15 connectors available at the support website?</p> <p>16 A Yes.</p> <p>17 Q And will Lawson implement the punchouts to</p> <p>18 connect its customers to these vendors that are</p> <p>19 listed on this table?</p> <p>20 A Yes.</p> <p>21 MS. ALBERT: Let me have the reporter mark</p> <p>22 as Christopherson Exhibit 15 a document entitled</p>
<p>234</p> <p>1 Q Can you turn to the page with the Bates</p> <p>2 number ending 361.</p> <p>3 A Okay.</p> <p>4 Q There are some bullet points at the top of</p> <p>5 that page. Do you see that?</p> <p>6 A Yes, I do.</p> <p>7 Q There's one bullet point that states the</p> <p>8 Punchout service name. Do you see that?</p> <p>9 A Yes, I do.</p> <p>10 Q What is a Punchout service?</p> <p>11 A I do not know. That may be something that</p> <p>12 is embedded withinside of the string that we talked</p> <p>13 about earlier, the connectors.</p> <p>14 Q Do you see in the chart down below on that</p> <p>15 page?</p> <p>16 A Yes. Mm-hmm.</p> <p>17 Q There is -- the middle column heading is</p> <p>18 "Group Name (Service Name)." Do you see that?</p> <p>19 A Yes, I do.</p> <p>20 Q Does that have anything to do with the</p> <p>21 Punchout service name?</p> <p>22 A Yes, it does. Same.</p>	<p>236</p> <p>1 "Lawson Software Americas Inc. Procurement Punchout</p> <p>2 Partner Agreement." It bears production numbers LE</p> <p>3 00230177 through 185.</p> <p>4 (Christopherson Exhibit 15 was marked for</p> <p>5 identification and attached to the deposition</p> <p>6 transcript.)</p> <p>7 THE WITNESS: After that we'll take a</p> <p>8 break?</p> <p>9 MS. ALBERT: Would you like to take a</p> <p>10 break now?</p> <p>11 THE WITNESS: Okay.</p> <p>12 MS. ALBERT: Sure.</p> <p>13 THE WITNESS: We've gone through a bunch</p> <p>14 of documents.</p> <p>15 THE VIDEOGRAPHER: We're going off the</p> <p>16 record. The time is 3:58 p.m.</p> <p>17 (Recess.)</p> <p>18 THE VIDEOGRAPHER: We're now back on the</p> <p>19 record. The time is 4:15 p.m.</p> <p>20 BY MS. ALBERT:</p> <p>21 Q Mr. Christopherson, have you ever seen a</p> <p>22 copy of the document that's been marked as Exhibit</p>

<p>237</p> <p>1 15?</p> <p>2 A Yes, I have.</p> <p>3 Q What is it?</p> <p>4 A It's the legal agreement for the</p> <p>5 Procurement Punchout partners.</p> <p>6 Q Does this agreement contain the standard</p> <p>7 terms and conditions to become a Lawson Procurement</p> <p>8 Punchout partner?</p> <p>9 A Yes.</p> <p>10 Q Does Lawson execute an agreement similar</p> <p>11 to the one marked as Exhibit 15 for every one of its</p> <p>12 Punchout partners?</p> <p>13 A There may have been some grandfathering</p> <p>14 with some of the older ones, but all new ones</p> <p>15 definitely have this.</p> <p>16 Q Are there any other documents that</p> <p>17 typically accompany the Procurement Punchout partner</p> <p>18 agreement?</p> <p>19 A I'm not aware of any.</p> <p>20 Q Does Lawson ever revise the standardized</p> <p>21 terms that are contained in this form?</p> <p>22 A I'm sure that we have at some point.</p>	<p>239</p> <p>1 agreement with the Bates number ending 178.</p> <p>2 A Okay.</p> <p>3 Q Under section 3.1, "Software," it</p> <p>4 indicates that "Upon execution of a business partner</p> <p>5 license agreement between the parties, either party</p> <p>6 may deliver to the other party the software programs</p> <p>7 necessary to create and maintain the interfaces or</p> <p>8 punchout between the parties' products or websites,</p> <p>9 the source and/or object code related to those</p> <p>10 software programs, and the documentation applicable</p> <p>11 to the software programs necessary to develop and</p> <p>12 maintain the interfaces to the other party's software</p> <p>13 programs."</p> <p>14 Do you know if a copy of this business</p> <p>15 partner license agreement has been produced?</p> <p>16 A I do not.</p> <p>17 MS. ALBERT: We ask also that a search be</p> <p>18 conducted for the business partner license agreement</p> <p>19 and that it be produced.</p> <p>20 MR. SCHULTZ: We'll look into both of</p> <p>21 those.</p> <p>22 MS. ALBERT: Thank you. That's all I have</p>
<p>238</p> <p>1 Q Do you know if this is the most current</p> <p>2 version of the document?</p> <p>3 A It does look to be.</p> <p>4 Q How can you tell?</p> <p>5 A Very difficult. There's nothing that</p> <p>6 jumps out at me. But without sitting down and</p> <p>7 looking at line by line, it would be very difficult</p> <p>8 to tell that.</p> <p>9 Q Where are the executed agreements of this</p> <p>10 type maintained?</p> <p>11 A As with the other legal documents at</p> <p>12 Lawson, that would be within the WebNow system, as we</p> <p>13 talked about earlier today.</p> <p>14 Q Did you conduct a search of that WebNow</p> <p>15 system for executed Procurement Punchout partner</p> <p>16 agreements?</p> <p>17 A No, we have not.</p> <p>18 MS. ALBERT: We would ask that such a</p> <p>19 search be conducted, and that the actual executed</p> <p>20 agreements be produced.</p> <p>21 BY MS. ALBERT:</p> <p>22 Q Can you turn to the second page of the</p>	<p>240</p> <p>1 for that document.</p> <p>2 THE WITNESS: Okay.</p> <p>3 MS. ALBERT: Let me have the reporter mark</p> <p>4 as Christopherson Exhibit 16 a copy of a document</p> <p>5 entitled "Services Order Form," bearing production</p> <p>6 number LE 00230211 through 215.</p> <p>7 (Christopherson Exhibit 16 was marked for</p> <p>8 identification and attached to the deposition</p> <p>9 transcript.)</p> <p>10 BY MS. ALBERT:</p> <p>11 Q Are you familiar with the services order</p> <p>12 form of the type marked as Christopherson Exhibit 16?</p> <p>13 A Yes, I am.</p> <p>14 Q What is the purpose for this document?</p> <p>15 A This works in conjunction with the</p> <p>16 previous agreement that we looked at where the -- not</p> <p>17 the customer, but rather the vendor is now asking for</p> <p>18 us to spend time working with their development</p> <p>19 organization to ensure that we are able to</p> <p>20 communicate back and forth. And that would either be</p> <p>21 with Punchout or EDI.</p> <p>22 Q Under the work order request, its</p>

<p>241</p> <p>1 indicating that this particular vendor requested</p> <p>2 Punchout setup including cXML Purchase Order, EDI X.12</p> <p>3 Purchase Order, Purchase Order Acknowledgment,</p> <p>4 Advance Ship Notice, and Invoice. What setup has to</p> <p>5 be done with the trading partner for the cXML</p> <p>6 Purchase Order?</p> <p>7 A We need to have the URL that we're going</p> <p>8 to need to go to. We need to ensure that we've got a</p> <p>9 hole in our firewall established with the network</p> <p>10 people if that's going to be required. And then also</p> <p>11 the security credentials.</p> <p>12 Q So Lawson will perform that cXML Purchase</p> <p>13 Order setup both for its customer as well as for the</p> <p>14 trading partner?</p> <p>15 A No. Uh-uh.</p> <p>16 Q Well, you indicated that this was an order</p> <p>17 form where the trading partner was requesting that</p> <p>18 this work be done; is that correct?</p> <p>19 A That is correct. Again, you've lost the</p> <p>20 context between the two. So I'll leave it there.</p> <p>21 You've lost the context.</p> <p>22 Q So will Lawson perform that cXML Purchase</p>	<p>243</p> <p>1 day. It might be spread out over time. It could be</p> <p>2 a couple of hours. It just depends on how well the</p> <p>3 vendor is ready for that test.</p> <p>4 Q Is the time to implement the EDI X.12</p> <p>5 Purchase Order similar?</p> <p>6 A Similar.</p> <p>7 Q Can you turn to the next page with the</p> <p>8 Bates number ending 212.</p> <p>9 A Okay.</p> <p>10 Q Do you see there, there's an hourly</p> <p>11 service fee rate of \$750 per day that's been filled</p> <p>12 in here?</p> <p>13 A Mm-hmm.</p> <p>14 Q Is that the current hourly service fee</p> <p>15 rate that Lawson --</p> <p>16 A No.</p> <p>17 Q -- would charge? What's the current</p> <p>18 amount?</p> <p>19 A \$2,000 for this particular type of</p> <p>20 agreement, which is with partners.</p> <p>21 Q That's all I have for that document.</p> <p>22 MS. ALBERT: Let me ask the reporter to</p>
<p>242</p> <p>1 Order setup for a Lawson customer?</p> <p>2 A This particular one? No.</p> <p>3 Q Why not?</p> <p>4 A This is not for a customer.</p> <p>5 Q So will Lawson perform a cXML Purchase</p> <p>6 Order setup for a trading partner?</p> <p>7 A In our test environment, our test lab,</p> <p>8 yes.</p> <p>9 Q And what setup is required to implement an</p> <p>10 EDI X.12 Purchase Order?</p> <p>11 A Similar sort of things. It would be the</p> <p>12 network address and security credentials.</p> <p>13 Q And would a similar type setup be required</p> <p>14 to implement the Purchase Order acknowledgment?</p> <p>15 A All of the EDI messages, same thing.</p> <p>16 Q What's the typical time it will take to</p> <p>17 perform the cXML Purchase Order setup?</p> <p>18 A The actual setup? Less than an hour.</p> <p>19 Q What's the typical time that you take to</p> <p>20 test it out in the test lab environment and the other</p> <p>21 processes that you mentioned earlier?</p> <p>22 A That usually takes the remainder of a full</p>	<p>244</p> <p>1 mark as Christopherson Exhibit 17 a document entitled</p> <p>2 "Purchase Order User Guide Version 9.0.1." It bears</p> <p>3 production numbers L 0052019 through 52296.</p> <p>4 (Christopherson Exhibit 17 was marked for</p> <p>5 identification and attached to the deposition</p> <p>6 transcript.)</p> <p>7 THE WITNESS: Okay.</p> <p>8 BY MS. ALBERT:</p> <p>9 Q Are you familiar with the Purchase Order</p> <p>10 user guide that's been marked as Exhibit 17?</p> <p>11 A Yes.</p> <p>12 Q What is its purpose?</p> <p>13 A To provide, much like the Requisition one,</p> <p>14 provide a high level overview of the Purchase Order</p> <p>15 process withinside of the Lawson system.</p> <p>16 Q And is this guide also made available to</p> <p>17 Lawson customers via the support website?</p> <p>18 A Yes.</p> <p>19 Q Do you know if this is the most recent</p> <p>20 version of the Purchase Order user guide?</p> <p>21 A It probably is.</p> <p>22 Q Are there any other guides associated with</p>

<p>245</p> <p>1 the Purchase Order module?</p> <p>2 A There -- let's see. As we talked about</p> <p>3 before, there's an install guide, but that's to</p> <p>4 install all the 4GL, not unique to the Purchase</p> <p>5 Order.</p> <p>6 Q Are there any other guides that are unique</p> <p>7 to the Purchase Order module?</p> <p>8 A Not that I'm aware of, no.</p> <p>9 Q Can you turn to page 14 of the guide.</p> <p>10 A Okay.</p> <p>11 Q Under the heading "Requisitions," it</p> <p>12 states that "The Purchase Order application receives</p> <p>13 order requests for goods or services from the Lawson</p> <p>14 Requisitions application. Purchase orders can then</p> <p>15 be created automatically to fill the requisition."</p> <p>16 Can you use the Lawson Purchase Order</p> <p>17 application without having the Requisitions</p> <p>18 application?</p> <p>19 A Yes.</p> <p>20 Q And how would that be done? Would you</p> <p>21 just simply -- would you have to have the Inventory</p> <p>22 Control application in order to use the Purchase</p>	<p>247</p> <p>1 Requisition application?</p> <p>2 A I do not have that information.</p> <p>3 Q How would you find that information out?</p> <p>4 A I can't think of an easy way. But we</p> <p>5 could go back through all of the contract orders, all</p> <p>6 the product order forms that have come in, to look</p> <p>7 and see on a line by line basis.</p> <p>8 Q Can you turn to page 43 of the guide.</p> <p>9 A Okay.</p> <p>10 Okay.</p> <p>11 Q Under the heading "What is a vendor item,"</p> <p>12 the first sentence reads, "A vendor item links an</p> <p>13 Item Master record (nonstock or inventory item) to a</p> <p>14 specific vendor." Can you explain what that means?</p> <p>15 A Sure. Let's say you set up an item in</p> <p>16 your Item Master, your customer does, and they call</p> <p>17 it a ballpoint pen, blue. So we know it's a blue</p> <p>18 ballpoint pen. That would have an item number,</p> <p>19 customer item number in the Item Master record. Now,</p> <p>20 the Item Master record is actually -- when we're</p> <p>21 referring to it in this case, there's actually a lot</p> <p>22 of tables withinside of the relational database that</p>
<p>246</p> <p>1 Order application?</p> <p>2 A You would need to at least have parts of</p> <p>3 the inventory control. For instance, Item Master</p> <p>4 would come out of that.</p> <p>5 Q So in what instances would somebody want</p> <p>6 to have the Purchase Order application without having</p> <p>7 the Requisitions application?</p> <p>8 A If we go back to the 1980s, and Purchase</p> <p>9 Order was actually created in Lawson, at that time</p> <p>10 Requisition didn't exist, because businesses weren't</p> <p>11 using requisitions, they didn't have that in the</p> <p>12 business process. That didn't come until the 1990s.</p> <p>13 There's still businesses today that don't have</p> <p>14 requisitions.</p> <p>15 Q Do you know for what percentage of Lawson</p> <p>16 customers that buy the Purchase Order application --</p> <p>17 strike that. Let me rephrase. For what percentage</p> <p>18 of Lawson customers that buy the Purchase Order</p> <p>19 application -- I'm still not getting this phrased</p> <p>20 correctly. I apologize.</p> <p>21 What percentage of Lawson customers that</p> <p>22 buy the Purchase Order application also buy the</p>	<p>248</p> <p>1 provides data that is associated to this item.</p> <p>2 Because you have a blue ballpoint pen in</p> <p>3 your -- and let's call it an inventoried item, you</p> <p>4 may actually have multiple sources that provide that.</p> <p>5 So it might be two different vendors. Let's say it's</p> <p>6 Office Depot and Staples. Does Office Depot and</p> <p>7 Staples both provide Bic ballpoint pens? Yes, they</p> <p>8 do. Would they actually be the same pens? Except</p> <p>9 for them physically not being the same pens, yes, the</p> <p>10 same basic characteristics.</p> <p>11 So what you would have is a vendor number,</p> <p>12 each one may have its own unique vendor number, and</p> <p>13 that vendor number is the key field withinside of the</p> <p>14 database that would tell you this item number, 123 --</p> <p>15 if it's 456 as the vendor number, that equals maybe</p> <p>16 Staples. If it's 089, maybe that's Office Depot.</p> <p>17 But it's the same item.</p> <p>18 Q Can you turn to page 87 of the guide.</p> <p>19 A Okay.</p> <p>20 Q This chapter is relating to importing</p> <p>21 vendor agreements. We talked about vendor agreements</p> <p>22 earlier, that those would be the prenegotiated prices</p>

<p>249</p> <p>1 and items that the Lawson customer has with</p> <p>2 particular vendors, correct?</p> <p>3 A That is correct. Mm-hmm.</p> <p>4 Q So the second paragraph reads, "The vendor</p> <p>5 agreement import process lets you automatically load</p> <p>6 vendor pricing information and create Item Master and</p> <p>7 Purchase Order vendor item records. The data you</p> <p>8 import can be a vendor catalog which contains</p> <p>9 information about all the items a vendor carries, or</p> <p>10 it can be items that are included in a specially</p> <p>11 negotiated contract between a vendor a single</p> <p>12 customer or a group purchasing organization."</p> <p>13 Can you explain how that vendor agreement</p> <p>14 import process works?</p> <p>15 A Essentially, I'll take a comma delimited</p> <p>16 file, that's a file type, for instance, you can open</p> <p>17 up in Excel and you can see all the different</p> <p>18 columns. There's usually a row header on top so you</p> <p>19 can understand that this particular field might mean</p> <p>20 the quantity, the price and stuff. And that is read</p> <p>21 with a batch program and imports all of the pertinent</p> <p>22 information into the associated tables.</p>	<p>251</p> <p>1 89 of the guide, that talks about how that vendor</p> <p>2 agreement import process works?</p> <p>3 A Correct.</p> <p>4 Q And does this vendor agreement import</p> <p>5 batch program come with the Purchase Order</p> <p>6 application as delivered?</p> <p>7 A Yes.</p> <p>8 Q And the third paragraph under that</p> <p>9 heading, the first two sentences read, "Each item</p> <p>10 record in the vendor file must contain a vendor item</p> <p>11 number, a unit of measure, and a unit price. The</p> <p>12 file can contain all items from a vendor's catalog or</p> <p>13 only specific items that are included in a negotiated</p> <p>14 contract."</p> <p>15 Why is it necessary that each item record</p> <p>16 in the vendor file contain a vendor item number, a</p> <p>17 unit of measure, and a unit price?</p> <p>18 A Okay. The vendor item number is what we</p> <p>19 use when you select, going back to my blue ballpoint</p> <p>20 pen, when you select that, now we need to know what</p> <p>21 are the possible item numbers. Now, a requester</p> <p>22 doesn't decide which vendor. But the purchase order</p>
<p>250</p> <p>1 Typically the customer, before they</p> <p>2 actually just go run it, that batch program, just</p> <p>3 import it, the reason I mention Excel, they'll</p> <p>4 probably actually take that file that they've gotten</p> <p>5 from a vendor and actually go through it and make</p> <p>6 sure that it is what they want it to be. For</p> <p>7 example, does it actually have the correct prices</p> <p>8 that were negotiated in a contract or an agreement,</p> <p>9 are those in fact what's showing up on that Excel</p> <p>10 spreadsheet.</p> <p>11 And also do they want in fact all those</p> <p>12 items, because it may be on the agreement, it may not</p> <p>13 actually be something that they actually want to load</p> <p>14 into the Item Master. They may have negotiated a</p> <p>15 price, but they may have decided, okay, I have no</p> <p>16 intention to buy that, so why do I want to enable my</p> <p>17 users to actually go and buy that particular item?</p> <p>18 So they'll strike it from that particular list or</p> <p>19 delete that particular row so it doesn't actually</p> <p>20 show up in the Item Master. So they'll edit that</p> <p>21 file.</p> <p>22 Q So then the next two pages, pages 88 and</p>	<p>252</p> <p>1 person will need to know what their possibilities</p> <p>2 are, and then they'll select the possible vendor or</p> <p>3 vendors that they want to fill the order, if it</p> <p>4 results in a purchase order.</p> <p>5 So that takes care of the vendor item</p> <p>6 numbering. It's a key field that associates to a</p> <p>7 vendor. A unit of measure, a price is associated</p> <p>8 with a unit of measure. So if you purchase a box of</p> <p>9 pens as opposed to one each ballpoint pen, the price</p> <p>10 is probably different. And you in fact may not have</p> <p>11 negotiated terms. You may have negotiated terms for</p> <p>12 a box of pens, and not the individual pens. So</p> <p>13 whenever you purchase, you need to purchase off a box</p> <p>14 to get what hopefully will be a better rate.</p> <p>15 Q Is the vendor agreement file importing</p> <p>16 process further described on pages 90 through 95 of</p> <p>17 the guide?</p> <p>18 A Sure. It's still all within the same</p> <p>19 chapter.</p> <p>20 Q So this is intended to provide information</p> <p>21 to the customers for how to implement this vendor</p> <p>22 agreement import process to import the vendor item</p>

<p>253</p> <p>1 data into the Item Master, correct?</p> <p>2 A Correct.</p> <p>3 Q Can you turn to page 144 of the guide.</p> <p>4 A Okay.</p> <p>5 Q Under the heading "What is an order</p> <p>6 request," the third paragraph reads, "Purchase Order</p> <p>7 interface from Lawson applications searches the</p> <p>8 interface file for order requests containing all</p> <p>9 required information and then creates purchase orders</p> <p>10 automatically. In order to automatically process</p> <p>11 purchase orders, order request must contain a vendor,</p> <p>12 a buyer code, a cost source, a requested delivery</p> <p>13 date."</p> <p>14 What is this Purchase Order interface from</p> <p>15 Lawson applications that's referenced there?</p> <p>16 A The Purchase Order interface is the PO100</p> <p>17 program.</p> <p>18 Q Is that included with the Purchase Order</p> <p>19 application?</p> <p>20 A Yes.</p> <p>21 Q And in order to automatically process an</p> <p>22 order request into a Purchase Order, the order</p>	<p>255</p> <p>1 Q Can that EDI transaction type include</p> <p>2 information to tell the purchasing company that a</p> <p>3 particular product may be backordered?</p> <p>4 A Again, I'm not aware of all the specific</p> <p>5 information in there.</p> <p>6 Q Who would you ask to determine that</p> <p>7 information?</p> <p>8 A I would go to Brent Honedel on that.</p> <p>9 Q I think I'm done with that document.</p> <p>10 MS. ALBERT: Let me have marked as</p> <p>11 Christopherson Exhibit 18 a presentation entitled "S3</p> <p>12 EDI for Supply Chain Management." It bears</p> <p>13 production numbers LE 00187614 through 632.</p> <p>14 (Christopherson Exhibit 18 was marked for</p> <p>15 identification and attached to the deposition</p> <p>16 transcript.)</p> <p>17 THE WITNESS: Okay.</p> <p>18 BY MS. ALBERT:</p> <p>19 Q Have you seen this particular presentation</p> <p>20 before today?</p> <p>21 A No, I have not.</p> <p>22 Q Do you know who created it?</p>
<p>254</p> <p>1 request must contain a vendor, a buyer code, cost</p> <p>2 source, and a requested delivery date; is that</p> <p>3 correct?</p> <p>4 A That's correct.</p> <p>5 Q Can you turn to page 155 of the guide.</p> <p>6 A Okay.</p> <p>7 Q It talks about using EDI to issue purchase</p> <p>8 orders.</p> <p>9 A Mm-hmm.</p> <p>10 Q And the third paragraph under the first</p> <p>11 heading talks -- it states, "After receiving a</p> <p>12 purchase order, the vendor returns a detailed</p> <p>13 purchase order acknowledgment to the client. This</p> <p>14 acknowledgment summarizes the information on the</p> <p>15 purchase order and validates the order's</p> <p>16 authenticity."</p> <p>17 Do you know if that purchase order</p> <p>18 acknowledgment document includes information relating</p> <p>19 to whether the products ordered are available in the</p> <p>20 supplier's inventory?</p> <p>21 A I'm not aware of the actual details</p> <p>22 withinside of that particular EDI transaction type.</p>	<p>256</p> <p>1 A I do not.</p> <p>2 Q Is there any way to tell?</p> <p>3 A That's what I was looking for before we</p> <p>4 started. And...</p> <p>5 Q Who has responsibilities for this product?</p> <p>6 A I could take an educated guess of who this</p> <p>7 is.</p> <p>8 Q What's your educated guess?</p> <p>9 A The educated guess, due to page 10, the</p> <p>10 contents on that, and the fact that many of the</p> <p>11 actual screenshots are going to</p> <p>12 http://cue.lawson.com, this was probably Brent</p> <p>13 Honedel.</p> <p>14 Q Is there any way to tell approximately</p> <p>15 when this was created?</p> <p>16 A A clue, it was printed out on September</p> <p>17 19th, 2009. But that's not when it was created.</p> <p>18 Looking at the screens, again, this probably would</p> <p>19 have been created for our user events, so it would</p> <p>20 have been Brent's slides to go to CUE. He did go</p> <p>21 this past spring. Whether or not he went the year</p> <p>22 before, I'm not sure. So the slides, they were all</p>

<p>257</p> <p>1 doing those in February and March of this year, if it</p> <p>2 was for this past CUE.</p> <p>3 It's hard to tell if it was this one or</p> <p>4 the previous one. The user interface is a slightly</p> <p>5 older looking user interface. So I almost want to</p> <p>6 say it may be a year back. But then again we changed</p> <p>7 what we wanted the people to use for their user</p> <p>8 interface fairly late. So he may not have had a</p> <p>9 chance to change his slides.</p> <p>10 Q So what's the CUE event again?</p> <p>11 A That's a user event.</p> <p>12 Q Can you turn to the slide on page 3, and</p> <p>13 that has the Bates number ending 616.</p> <p>14 A Okay.</p> <p>15 Q It's the slide entitled "The Business</p> <p>16 Challenge."</p> <p>17 A Mm-hmm.</p> <p>18 Q Do you see in the box at the bottom of</p> <p>19 that slide, that reads, "Lawson EDI for Supply Chain</p> <p>20 Management can help you bridge the gap, equipping you</p> <p>21 for two-way electronic transfer of essential</p> <p>22 documents such as purchase orders, invoices, and</p>	<p>259</p> <p>1 Full functionality of what you can do with it, that's</p> <p>2 what I'm unsure -- don't know.</p> <p>3 Q Can you turn to the slide on page 6.</p> <p>4 A Okay.</p> <p>5 Q That slide is entitled "Key Features."</p> <p>6 A Mm-hmm.</p> <p>7 Q The second paragraph on that slide reads,</p> <p>8 "For many vendors, supports common transaction types</p> <p>9 such as Purchase Order (850), PO Acknowledgment</p> <p>10 (855), Advance Ship Notice (856), Invoice (810), and</p> <p>11 Price/Catalog (832)." So all of these EDI</p> <p>12 transactions are supported by Lawson's EDI</p> <p>13 application; is that correct?</p> <p>14 A Correct.</p> <p>15 Q And on this slide there's a little PDF</p> <p>16 icon labeled "Trading Partner List." Do you see</p> <p>17 that?</p> <p>18 A I do.</p> <p>19 Q Is there another trading partner list</p> <p>20 associated with trading partners for EDI?</p> <p>21 A Well, being able to see what's in that</p> <p>22 document, it would be hard to say. But typically it</p>
<p>258</p> <p>1 catalogs"? So a Lawson customer can transmit a</p> <p>2 purchase order to a supplier via the Lawson EDI</p> <p>3 application; is that correct?</p> <p>4 A That is correct.</p> <p>5 Q And how are catalogs transmitted from a</p> <p>6 supplier to customer via EDI?</p> <p>7 A That's what I'm unsure of when we talked</p> <p>8 earlier. I would have to talk to Brent on that.</p> <p>9 Q Can you turn to the slide, page 5.</p> <p>10 A Okay.</p> <p>11 Q At the top of that page, it indicates that</p> <p>12 "Lawson S3 EDI for Supply Chain Management links your</p> <p>13 enterprise to its trading partners to electronically</p> <p>14 send transactions such as purchase orders,</p> <p>15 price/catalogs, and invoices electronically."</p> <p>16 A Mm-hmm.</p> <p>17 Q Can a supplier transmit its catalog via</p> <p>18 the Lawson EDI product to a Lawson user who could</p> <p>19 then download that into the Item Master?</p> <p>20 A It certainly appears as though they can</p> <p>21 get the catalogs from the vendors, because it's been</p> <p>22 said several times in the EDI presentation here.</p>	<p>260</p> <p>1 would only maintain one list of trading partner,</p> <p>2 dated. Obviously it would change over time.</p> <p>3 Q Can you turn to the slide on the next</p> <p>4 page, page 7.</p> <p>5 A Okay.</p> <p>6 Q That slide is further elaborating these</p> <p>7 EDI transaction sets. And it shows each transaction</p> <p>8 set is checked. Do you know whether that indicates</p> <p>9 that the Lawson EDI application supports each of</p> <p>10 those transaction sets?</p> <p>11 A Correct.</p> <p>12 Q And it's indicating that "The Price/Sales</p> <p>13 Catalog (832) transaction set is an in." "In," do</p> <p>14 you know if that means it's an incoming transaction</p> <p>15 to the Lawson customer's system?</p> <p>16 A Correct, it would be.</p> <p>17 Q And then the Purchase Order transaction is</p> <p>18 an outgoing transaction set from the Lawson</p> <p>19 customer's application to the vendor, correct?</p> <p>20 A Correct.</p> <p>21 Q Can you turn to the slide on page 18.</p> <p>22 A Okay.</p>

<p>261</p> <p>1 Q This slide is entitled "Why choose Lawson</p> <p>2 EDI." And the last bullet on the slide reads,</p> <p>3 "Predelivered trading partners as well as delivered</p> <p>4 integration to GHX."</p> <p>5 A Mm-hmm.</p> <p>6 Q So with the Lawson EDI application, does</p> <p>7 that include connections to many supplier trading</p> <p>8 partners similar to the connectors that are available</p> <p>9 to customers of the Procurement Punchout application?</p> <p>10 A You mean are they -- do we have many that</p> <p>11 are in Punchout and EDI?</p> <p>12 Q No, I mean are there trading partners that</p> <p>13 are already pre-enabled, if you will, that come with</p> <p>14 the EDI application as delivered?</p> <p>15 A We've got the sets of configurations that</p> <p>16 they would work for.</p> <p>17 Q And those come with the product as</p> <p>18 delivered?</p> <p>19 A Not in the product itself. They'll have</p> <p>20 to be -- again, depending on web addresses and</p> <p>21 security credentials and stuff, there may be some</p> <p>22 changes that have to occur for those. But just like</p>	<p>263</p> <p>1 necessarily. I don't know a whole lot about them</p> <p>2 myself. I just know they're on our partner list.</p> <p>3 Q What does it mean that the EDI application</p> <p>4 comes with delivered integration to GHX?</p> <p>5 A I'm not sure what he was meaning there.</p> <p>6 MS. ALBERT: I've just been informed by</p> <p>7 the videographer that we need to change the</p> <p>8 videotape. So let's take a very brief break --</p> <p>9 MR. SCHULTZ: Sure.</p> <p>10 MS. ALBERT: -- to allow that.</p> <p>11 THE VIDEOGRAPHER: This marks the end of</p> <p>12 tape number 3 in the deposition of</p> <p>13 Mr. Christopherson. We're going off the record. The</p> <p>14 time is 4:54 p.m.</p> <p>15 (Recess.)</p> <p>16 (Christopherson Exhibit 19 was marked for</p> <p>17 identification and attached to the deposition</p> <p>18 transcript.)</p> <p>19 THE VIDEOGRAPHER: This marks the</p> <p>20 beginning of tape number 4 in the deposition of</p> <p>21 Mr. Christopherson. We're back on the record. The</p> <p>22 time is 4:58 p.m.</p>
<p>262</p> <p>1 with Punchout, there would be some profiles.</p> <p>2 Q So what does it mean when it says that</p> <p>3 they're predelivered trading partners?</p> <p>4 A It might be a bit strong, meaning clearly</p> <p>5 the product itself, we're going to work with the</p> <p>6 trading partners, but there will be some</p> <p>7 configuration they'll have to set up.</p> <p>8 Q What's GHX?</p> <p>9 A That is one of our partners.</p> <p>10 Q Do you know what the acronym stands for?</p> <p>11 A No. It's a healthcare vendor. I do know</p> <p>12 that.</p> <p>13 Q Does it mean Global Healthcare Exchange?</p> <p>14 A That's it.</p> <p>15 Q What is that Global Healthcare Exchange?</p> <p>16 Do you know what services it offers?</p> <p>17 A It's essentially a vendor what provides</p> <p>18 items out, kind of aggregate from sometimes different</p> <p>19 vendors to themselves.</p> <p>20 Q So would it be a healthcare catalog</p> <p>21 aggregation type site?</p> <p>22 A I don't know if I'd use those terms</p>	<p>264</p> <p>1 BY MS. ALBERT:</p> <p>2 Q Mr. Christopherson, the court reporter has</p> <p>3 handed you a document marked as Christopherson</p> <p>4 Exhibit 19. It's entitled "Lawson EDI for Supply</p> <p>5 Chain Management Trading Partner List Version 9.0.1."</p> <p>6 It bears production numbers L 0046221 through 292.</p> <p>7 A Okay.</p> <p>8 Q Are you familiar with this document?</p> <p>9 A I believe I may have seen the document</p> <p>10 once in the past nine months or so.</p> <p>11 Q Do you know if -- what is this document</p> <p>12 used for?</p> <p>13 A It identifies who the different partners</p> <p>14 are that we have in the EDI program.</p> <p>15 Q Do you know if this is the most current</p> <p>16 version of the document?</p> <p>17 A I believe it is.</p> <p>18 Q And is this trading partner list also made</p> <p>19 available to customers at the support website?</p> <p>20 A Yes.</p> <p>21 Q Do you know if this is the trading partner</p> <p>22 list that was referenced in the slide in the prior</p>

<p>265</p> <p>1 Exhibit 18 that we saw the little PDF icon for?</p> <p>2 A I do not.</p> <p>3 Q Are there any user guides associated with</p> <p>4 Lawson's EDI for Supply Chain Management product?</p> <p>5 A No. Uh-uh. There's not.</p> <p>6 Q Why don't you have user guides for that</p> <p>7 product?</p> <p>8 A The user is not actually -- there's no</p> <p>9 user interface for it except for setup screens.</p> <p>10 So...</p> <p>11 Q So can you turn to page 4 of the guide,</p> <p>12 which has the Bates number ending with 224.</p> <p>13 A Okay.</p> <p>14 Q And you see starting on that page, there's</p> <p>15 a table of different trading partners. It identifies</p> <p>16 their trading partner ID, an EDI com server</p> <p>17 identifier, etc.</p> <p>18 A Mm-hmm.</p> <p>19 Q Is the Lawson EDI application already</p> <p>20 preconfigured to communicate with these trading</p> <p>21 partners according to the referenced communication</p> <p>22 standards and protocols?</p>	<p>267</p> <p>1 from that vendor via the 832 transaction set?</p> <p>2 A It's going to be under catalog and also</p> <p>3 price information too. But down inside, what's</p> <p>4 actually able to be supported, that's why I would</p> <p>5 still have to talk to Brent on that.</p> <p>6 Q Can you turn to page 16 of the guide, on</p> <p>7 the page with the Bates number ending 236.</p> <p>8 A Okay.</p> <p>9 Q This starts a section entitled "Process</p> <p>10 and Map Names." So are all of these maps already</p> <p>11 included in the Lawson EDI product as delivered?</p> <p>12 A Yes. Mm-hmm.</p> <p>13 Q That's all for that document.</p> <p>14 MS. ALBERT: Let me have the reporter mark</p> <p>15 as Christopherson Exhibit 20 a document that is</p> <p>16 entitled "Release 9.0.1, Purchase Order File</p> <p>17 Layouts." It was printed from a native Excel file,</p> <p>18 produced as Bates number L 0043347.</p> <p>19 (Christopherson Exhibit 20 was marked for</p> <p>20 identification and attached to the deposition</p> <p>21 transcript.)</p> <p>22 THE WITNESS: Okay.</p>
<p>266</p> <p>1 A If it's set up, yes.</p> <p>2 Q What do you mean, "if it's set up"?</p> <p>3 A It still has to be configured with some of</p> <p>4 this very same information that's here. But yes,</p> <p>5 it's set up, all ready to be used with it.</p> <p>6 Q So for example where it's talking about</p> <p>7 the transactions for the different trading partners,</p> <p>8 if the trading partner identifies the 850</p> <p>9 transaction, does that mean you can transmit purchase</p> <p>10 orders to those trading partners using the identified</p> <p>11 network in the standards version shown in the table?</p> <p>12 A Yes.</p> <p>13 Q Does Lawson have agreements with these EDI</p> <p>14 trading partners similar to the agreements that it</p> <p>15 enters into with the Procurement Punchout trading</p> <p>16 partners?</p> <p>17 A I do not know.</p> <p>18 Q Who would know the answer to that?</p> <p>19 A Keith Lohkamp very probably would.</p> <p>20 Q If a trading partner has identified the</p> <p>21 832 transaction set in this table, does that mean</p> <p>22 that a Lawson customer can receive a vendor catalog</p>	<p>268</p> <p>1 BY MS. ALBERT:</p> <p>2 Q Are you familiar with this document?</p> <p>3 A I have not seen this specific one, no.</p> <p>4 Q Have you seen documents of this type</p> <p>5 before?</p> <p>6 A Yes, I have.</p> <p>7 Q What's the purpose of this type of</p> <p>8 document?</p> <p>9 A It identifies for the different files that</p> <p>10 we may have what the record layout would be.</p> <p>11 Q What do you mean by "the record layout"?</p> <p>12 A The items -- not the items, but the fields</p> <p>13 that may be on a particular record.</p> <p>14 Q Do you see at the top of the page there's</p> <p>15 a part number referenced there.</p> <p>16 A Mm-hmm.</p> <p>17 Q What does that indicate?</p> <p>18 A As before, we had started creating part</p> <p>19 numbers for specific documents that we were</p> <p>20 producing.</p> <p>21 Q Is this -- are these file layouts</p> <p>22 available to Lawson customers via the Lawson support</p>

<p>269</p> <p>1 website?</p> <p>2 A Yes.</p> <p>3 Q Do you know if this is the current version</p> <p>4 of the file layouts?</p> <p>5 A There's not a date that I've seen on this.</p> <p>6 So at worst case, it's one version back. It's pretty</p> <p>7 current.</p> <p>8 Q And you see on the front page with the</p> <p>9 listing of the file layouts, each one is underlined.</p> <p>10 Would the underlining mean that this might be stored</p> <p>11 electronically, and I could hyperlink to that</p> <p>12 particular one if I clicked on that?</p> <p>13 A Usually that's the case, yes.</p> <p>14 Q Can you go to the section of this labeled</p> <p>15 "Mass PO Issue PO120." It's about two pages in, it</p> <p>16 starts, I think.</p> <p>17 A Yes. I have it. Okay.</p> <p>18 Q At the top of the page it indicates that</p> <p>19 Mass PO issue PO120 sends EDI outputs to the vendor.</p> <p>20 So would you use this particular file format in order</p> <p>21 to format a purchase order into an EDI output file to</p> <p>22 send to a vendor?</p>	<p>271</p> <p>1 vendors?</p> <p>2 A It would be the items in the agreed-upon</p> <p>3 price.</p> <p>4 Q And does this contain the names of the</p> <p>5 fields that are found in the Item Master? Do you see</p> <p>6 in the table there's something called "Field Name"?</p> <p>7 A Mm-hmm.</p> <p>8 Q And there's, for example, a position 2</p> <p>9 through 31, then Item D-E-S-C, vendor item</p> <p>10 description?</p> <p>11 A Mm-hmm.</p> <p>12 Q And then the next field at positions 32</p> <p>13 through 63 is "Ven Item"?</p> <p>14 A Yes.</p> <p>15 Q And so does this define the various</p> <p>16 positions in the CSV file at which you should have</p> <p>17 particular attributes of the item data defined?</p> <p>18 A Yes.</p> <p>19 Q And do you know if these are the</p> <p>20 particular fields related to the item that can be</p> <p>21 made searchable, as we were talking about earlier</p> <p>22 when we were talking about different origin fields</p>
<p>270</p> <p>1 A Yes.</p> <p>2 Q And would this be used by the EDI</p> <p>3 application?</p> <p>4 A Yes. As an -- yes.</p> <p>5 Q Can you turn -- it's about halfway through</p> <p>6 the document, there's a file layout entitled "Vendor</p> <p>7 Price Agreement," PO536.</p> <p>8 MR. SCHULTZ: Do you have numbers in the</p> <p>9 bottom right?</p> <p>10 THE WITNESS: Lower right hand column?</p> <p>11 MS. ALBERT: My copy -- I printed mine out</p> <p>12 before we endorsed them. Okay, I found it.</p> <p>13 BY MS. ALBERT:</p> <p>14 Q It's at the Bates number ending with .30.</p> <p>15 A Okay.</p> <p>16 Q Are you there?</p> <p>17 A Mm-hmm.</p> <p>18 Q What is this particular file format used</p> <p>19 for?</p> <p>20 A For taking in the information from</p> <p>21 vendors, loading it into the Item Master.</p> <p>22 Q What type of information is taken in from</p>	<p>272</p> <p>1 could be made searchable?</p> <p>2 A I know that not all of them are.</p> <p>3 Q How do you know that?</p> <p>4 A I've been refreshing my brain during</p> <p>5 break.</p> <p>6 Q Did you talk to someone in particular</p> <p>7 during the break?</p> <p>8 A We were talking, and then -- yes.</p> <p>9 Q Who did you talk to during the break?</p> <p>10 A I talked to Todd Dooner to find out.</p> <p>11 Q And what did Mr. Dooner tell you about</p> <p>12 what fields associated with the item data can be made</p> <p>13 searchable?</p> <p>14 A What I asked him was, on the origin</p> <p>15 fields, what were the fields that could be, because I</p> <p>16 knew that we had quite a few. A lot of them are the</p> <p>17 user fields and stuff, make up a good bulk of those</p> <p>18 and stuff. I was limited to the 30 fields. So here</p> <p>19 you've got more than 30 fields.</p> <p>20 Q So do you know which of these 30 fields</p> <p>21 could be made searchable?</p> <p>22 A I know some of them can be, such as the</p>

<p>273</p> <p>1 item, the UPC, can. The generic, which is a generic</p> <p>2 name. The class and commodity can be. The user</p> <p>3 fields can. That's starting in position 293 through</p> <p>4 418.</p> <p>5 Q What about family field?</p> <p>6 A Family field, I do not -- actually that</p> <p>7 one should be fine, because -- everything with the</p> <p>8 United Nations standard product and services. So the</p> <p>9 IC segment, family, class, and commodity.</p> <p>10 Q What about manufacture number at position</p> <p>11 209 through 223?</p> <p>12 A Manufacture number is yes.</p> <p>13 Q How about UPN number?</p> <p>14 A Where is that one?</p> <p>15 Q At position 149 through 168. Then there's</p> <p>16 another one --</p> <p>17 A Yes, UPN, then UPN 2, are.</p> <p>18 Q Are searchable?</p> <p>19 A Yes. Can be made searchable.</p> <p>20 Q Right. Then what about NDC number, can</p> <p>21 that be made searchable?</p> <p>22 A I do not recall if that one can or not.</p>	<p>275</p> <p>1 actually provide that for you. So this would be the</p> <p>2 information, in that particular case I mentioned it</p> <p>3 could be the same Bic ballpoint pen from Staples</p> <p>4 which would have its unique vendor information, as</p> <p>5 opposed to the Office Depot which would have its own</p> <p>6 unique vendor information.</p> <p>7 Q I think that's all I have for that</p> <p>8 document.</p> <p>9 MS. ALBERT: Let me have the reporter mark</p> <p>10 as Christopherson Exhibit 21 a document that on the</p> <p>11 first page is entitled "832 Price/Sales Catalog." It</p> <p>12 bears production numbers L 0006020 through 6171.</p> <p>13 (Christopherson Exhibit 21 was marked for</p> <p>14 identification and attached to the deposition</p> <p>15 transcript.)</p> <p>16 THE WITNESS: Okay.</p> <p>17 BY MS. ALBERT:</p> <p>18 Q Have you ever seen this document before?</p> <p>19 A No.</p> <p>20 Q Do you know what it is?</p> <p>21 A No.</p> <p>22 Q Do you know whether this defines the file</p>
<p>274</p> <p>1 Q What about vendor item, can that be made</p> <p>2 searchable? At position 32 through 63.</p> <p>3 A The vendor item, which is a vendor item</p> <p>4 number, yes.</p> <p>5 Q What about vendor item description, can</p> <p>6 that be made searchable?</p> <p>7 A I do not recall whether that one could or</p> <p>8 not.</p> <p>9 Q Can you turn to the page with the Bates</p> <p>10 number L 0043347.39. It's entitled "Vendor Item</p> <p>11 Input File."</p> <p>12 A Mm-hmm. Okay, I'm there.</p> <p>13 Q Do you know what this input file is used</p> <p>14 for?</p> <p>15 A Yes, I do.</p> <p>16 Q What is it used for?</p> <p>17 A To input items into the vendor item.</p> <p>18 Q How does the vendor item differ from what</p> <p>19 we saw before with the PO536 file formats?</p> <p>20 A Going back to the ballpoint pen example I</p> <p>21 was using, you may have a ballpoint pen in your item</p> <p>22 Master, but you may have multiple vendors who</p>	<p>276</p> <p>1 formats for the EDI 832 price/sales catalog</p> <p>2 transaction set?</p> <p>3 A I do not know that.</p> <p>4 Q Do you know from what source this document</p> <p>5 was obtained for the production to ePlus?</p> <p>6 A No, I do not.</p> <p>7 Q Do you know whether these -- if you look</p> <p>8 down in the bottom left hand corner, there's an X.12</p> <p>9 indication. Do you know whether these are the X.12</p> <p>10 standard EDI formats?</p> <p>11 A When we get into EDI, the actual details</p> <p>12 and stuff I'm not an expert in, and I really looked</p> <p>13 very cursory at anything ever with the EDI. So this</p> <p>14 very well may be. I just couldn't tell you if it is</p> <p>15 or not. It has the marking there, clearly.</p> <p>16 Q Who within Lawson has subject matter</p> <p>17 expertise in the EDI area?</p> <p>18 A That's Brent Honedel.</p> <p>19 Q So if I wanted to know how this document</p> <p>20 was used in Lawson, I should talk to him?</p> <p>21 A That's who I would talk to, yes. Next</p> <p>22 one's a big one, it looks like.</p>

<p>277</p> <p>1 MS. ALBERT: Let me have the reporter mark</p> <p>2 as Christopherson Exhibit 22 a copy of a document</p> <p>3 entitled Inventory Control User Guide Version 9.0.1.</p> <p>4 It bears production numbers L 0032249 through 549.</p> <p>5 (Christopherson Exhibit 22 was marked for</p> <p>6 identification and attached to the deposition</p> <p>7 transcript.)</p> <p>8 THE WITNESS: Okay.</p> <p>9 BY MS. ALBERT:</p> <p>10 Q Are you familiar with the document that's</p> <p>11 been marked as Christopherson Exhibit 22?</p> <p>12 A Yes.</p> <p>13 Q What is it?</p> <p>14 A It's the inventory control users guide for</p> <p>15 version 9.0.1.</p> <p>16 Q What's the purpose of this guide?</p> <p>17 A Give a high level overview of the program</p> <p>18 and its use withinside of Inventory Control module.</p> <p>19 Q Who is responsible for authoring and</p> <p>20 maintaining this guide?</p> <p>21 A Same with the other documents, technical</p> <p>22 writer, developers, and business analysts, and</p>	<p>279</p> <p>1 them or can attach them to the Item Master records.</p> <p>2 Q In the first paragraph it says that -- in</p> <p>3 the third sentence it says, "The UNSPSC code must be</p> <p>4 attached to an item in the Item Master file to be</p> <p>5 active." What does that mean?</p> <p>6 A For the item -- it can be -- inactive</p> <p>7 items would be the reverse. An inactive item might</p> <p>8 be an item that you've had in your Item Master that</p> <p>9 for some reason -- no longer carrying in inventory or</p> <p>10 it's no longer available.</p> <p>11 Q Turn to page 65 of the manual.</p> <p>12 A Okay.</p> <p>13 Q And we talked about earlier, in reference</p> <p>14 I think to the requisitions area, defining keyword</p> <p>15 searches. This, the procedure for defining keyword</p> <p>16 searches, is actually associated with the Inventory</p> <p>17 Control module; is that correct?</p> <p>18 A Yes, that's correct.</p> <p>19 Q And so the steps that are listed here to</p> <p>20 define keyword searches, are those the steps that the</p> <p>21 customer should use to make certain fields in the</p> <p>22 Item Master searchable?</p>
<p>278</p> <p>1 quality control.</p> <p>2 Q Do you know if this is the latest version</p> <p>3 of this user guide?</p> <p>4 A I believe it is.</p> <p>5 Q And is this guide also made available to</p> <p>6 Lawson customers via the support website?</p> <p>7 A Yes.</p> <p>8 Q Can you turn to page 63 of the guide.</p> <p>9 A Okay.</p> <p>10 Q This page deals with loading UNSPSC codes.</p> <p>11 It says that "If you use UNSPSC codes, this procedure</p> <p>12 explains how to load the UNSPSC codes using a CSV</p> <p>13 file. The codes can be attached to the Item Master</p> <p>14 records to create an item hierarchy."</p> <p>15 So Lawson provides instructions to its</p> <p>16 customers in these pages explaining how to load the</p> <p>17 UNSPSC codes and assign them to items; is that</p> <p>18 correct?</p> <p>19 A No, it's not.</p> <p>20 Q Why not?</p> <p>21 A It doesn't -- what it addresses is how to</p> <p>22 load UNSPSC codes, and suggests that you could attach</p>	<p>280</p> <p>1 A Yes.</p> <p>2 Q That's all I have for that document.</p> <p>3 MS. ALBERT: Let me have the reporter mark</p> <p>4 as Christopherson Exhibit 23 a document entitled</p> <p>5 "Design Analysis Vendor Catalog Load." It bears</p> <p>6 production numbers LE 00124594 through 617.</p> <p>7 (Christopherson Exhibit 23 was marked for</p> <p>8 identification and attached to the deposition</p> <p>9 transcript.)</p> <p>10 THE WITNESS: Okay.</p> <p>11 BY MS. ALBERT:</p> <p>12 Q Are you familiar with this document that's</p> <p>13 been marked as Christopherson Exhibit 23?</p> <p>14 A First time I've seen it.</p> <p>15 Q The author is identified as Dean Minnie.</p> <p>16 Do you know who he is?</p> <p>17 A I do not.</p> <p>18 Q Do you know if he's still at Lawson?</p> <p>19 A I do not know that.</p> <p>20 Q Is a design analysis document a standard</p> <p>21 type of document used in the ordinary course of</p> <p>22 Lawson's business?</p>

<p>281</p> <p>1 A This particular document has --</p> <p>2 immediately I can tell it's an older one, of course,</p> <p>3 because of the date. It goes back to 2001, although</p> <p>4 last updated in 2002. It's gone through quite a few</p> <p>5 changes as far as the format of the document. So</p> <p>6 it's not one that we would currently use. But a lot</p> <p>7 of the same information is in there. So...</p> <p>8 Q Can you describe for me the process, when</p> <p>9 somebody comes up with an idea for a new</p> <p>10 functionality in an application, what are the various</p> <p>11 steps that that goes through from the time of the</p> <p>12 initial idea through to commercial availability of</p> <p>13 that feature?</p> <p>14 A Can you say that all again?</p> <p>15 Q Can you describe for me the process that</p> <p>16 is used in Lawson from the time somebody comes up</p> <p>17 with a concept for new functionality for a product,</p> <p>18 all the way through when that new functionality</p> <p>19 becomes commercially available? What are the various</p> <p>20 phases you would go through and the documentation at</p> <p>21 each phase?</p> <p>22 A Sure. You would start with the idea</p>	<p>283</p> <p>1 requirements document that's accepted.</p> <p>2 Assuming we get to an accepted stage, then</p> <p>3 the project then moves on over into the product</p> <p>4 development team, who then probably already have</p> <p>5 scoped it out, the project, but if they haven't,</p> <p>6 they're scoping it out, and working with product</p> <p>7 management as far as the prioritization of when we'll</p> <p>8 actually do that. Then we'll schedule that or put</p> <p>9 that on what we call the road map, which is</p> <p>10 essentially over the next year to 18 months what we</p> <p>11 anticipate getting done and slotted for each of the</p> <p>12 specific releases.</p> <p>13 We also begin to track it with the</p> <p>14 internal systems within product development. So</p> <p>15 we'll begin tracking time we're going to be putting</p> <p>16 against it, if it's a larger one. If it's small,</p> <p>17 we're going to spend one day on it, it will go into a</p> <p>18 miscellaneous category of enhancements. We then</p> <p>19 begin to work also on the design of it, again,</p> <p>20 depending on the size. Some things come in and</p> <p>21 they're so small, of "please add this field to this</p> <p>22 form," the design is already done, the requirements</p>
<p>282</p> <p>1 phase. The idea phase does not mean it's ever going</p> <p>2 to go further than an idea phase. In fact many idea</p> <p>3 phases, it dies with -- it's a thought and doesn't go</p> <p>4 any further. At that particular point, though, the</p> <p>5 product management team today, so we're talking about</p> <p>6 today and not back in 2001, 2002 time frame, they</p> <p>7 create what's called a product requirements document.</p> <p>8 Depending on the scope or the size of the</p> <p>9 work involved, they may also have to produce a</p> <p>10 business case to justify the expense of the resources</p> <p>11 that we're going to be spending on it, particularly</p> <p>12 if it's a new product that would be selling. It</p> <p>13 would be nice to know, you know, what we're</p> <p>14 anticipating to be able to make off of that over the</p> <p>15 course of five years or so.</p> <p>16 Then at that point, that particular</p> <p>17 document is reviewed at different draft stages with</p> <p>18 people in product development, usually the business</p> <p>19 analysts. Sometimes management within product</p> <p>20 development, also QA may be involved with that. And</p> <p>21 that input, those questions are all fed back to</p> <p>22 product management, until we get to a product</p>	<p>284</p> <p>1 document, usually we don't need to do that either.</p> <p>2 But larger ones, it will go into a design</p> <p>3 document, a document that's similar in nature to</p> <p>4 this. They begin working on the test plans also at</p> <p>5 that point. And once we've got a solid design, the</p> <p>6 development -- who's going to be leading that effort,</p> <p>7 maybe it will just be a single developer working with</p> <p>8 the business analyst who creates the design document.</p> <p>9 They're interacting back and forth, along with the</p> <p>10 people from our support organization, because they're</p> <p>11 going to have to support the product, so they want to</p> <p>12 make sure it's supportable.</p> <p>13 Product management is involved to make</p> <p>14 sure that what we're designing is what they intended</p> <p>15 for us to do based on a requirements document. So we</p> <p>16 close the loop with them. And after several design</p> <p>17 reviews, then development formally kicks off as far</p> <p>18 as the developer actually coding the system. They</p> <p>19 may have already started coding depending on their</p> <p>20 comfort level, as far as understanding of the designs</p> <p>21 and based on early draft copies that come out.</p> <p>22 While they're doing that, QA is preparing</p>

<p>285</p> <p>1 its test data, getting ready for that. Documentation</p> <p>2 people are then working with the business analysts</p> <p>3 and also the developer to start documenting the</p> <p>4 states, getting the user guides up to date. If there</p> <p>5 are changes to any install manuals, file layouts,</p> <p>6 things of that nature, they begin to collect all that</p> <p>7 information.</p> <p>8 Q And then is there a beta test phase where</p> <p>9 you're testing it prior to commercial release?</p> <p>10 A It's going to depend on the specific</p> <p>11 project, so it may or may not be.</p> <p>12 Q So this design analysis document, this is</p> <p>13 kind of about halfway through that process you were</p> <p>14 talking about earlier, would that be correct?</p> <p>15 A Somewhere in that first half, yes, if one</p> <p>16 is created.</p> <p>17 Q If you see under the heading</p> <p>18 "Requirement," the author states that "There is a</p> <p>19 need to automatically load vendor item information</p> <p>20 into the Lawson system. This data can be a vendor</p> <p>21 catalog which contains information about all of the</p> <p>22 items that a vendor carries, or it can be items that</p>	<p>287</p> <p>1 identifying that there is a need for this utility.</p> <p>2 So can we make the assumption that the utility didn't</p> <p>3 exist prior to that time?</p> <p>4 A That is an assumption you could make, yes.</p> <p>5 Q And is this, do you know if the process</p> <p>6 being described here resulted in the batch program</p> <p>7 that we discussed in connection with the Purchase</p> <p>8 Order module, the PO536 program?</p> <p>9 A I have not had a chance to read this</p> <p>10 document, since I have not seen it.</p> <p>11 Q Why don't you refer to the fifth paragraph</p> <p>12 down on the first page.</p> <p>13 A Okay. I see they do mention that there</p> <p>14 will be one batch program called PO536 which will</p> <p>15 load the data from the catalog import file, mark the</p> <p>16 items that should be available for purchasing based</p> <p>17 on field values, so on and so on.</p> <p>18 Q And then in the next paragraph below that</p> <p>19 paragraph mentioning PO536, the last sentence of that</p> <p>20 paragraph reads, "The second section of the batch</p> <p>21 program allows the client to update the Lawson item</p> <p>22 indicator for a group of items by entering values for</p>
<p>286</p> <p>1 are included in a specially negotiated contract</p> <p>2 between a vendor and a single client or a group</p> <p>3 purchasing organization."</p> <p>4 Why was there a need to automatically load</p> <p>5 vendor catalog item information into the Lawson</p> <p>6 system?</p> <p>7 A What it does is it saves the customer the</p> <p>8 time, if the vendor happens to be rather small in the</p> <p>9 number of items. Because once you've loaded them,</p> <p>10 now you have to maintain them also. So if it's --</p> <p>11 the particular vendor has 100,000 items, you --</p> <p>12 previously I said if you're going to load an entire</p> <p>13 catalog, if that catalog is quite large, I would be</p> <p>14 asking the question why do you want to do that, to</p> <p>15 the customer.</p> <p>16 Q Did the prior versions of the Lawson</p> <p>17 products not include this batch process for</p> <p>18 automatically loading vendor catalog item information</p> <p>19 into the system?</p> <p>20 A I couldn't tell you when it was actually</p> <p>21 created for the first time.</p> <p>22 Q But at least here in 2001, Mr. Minnie is</p>	<p>288</p> <p>1 UNSPSC codes or user fields."</p> <p>2 Is this that UNSPSC code import process</p> <p>3 that we were mentioning earlier in connection with</p> <p>4 the Purchase Order and Inventory Control modules?</p> <p>5 A No.</p> <p>6 Q How do you know that?</p> <p>7 A This is tying UNSPSC codes to specific</p> <p>8 items. The other one was simply getting the codes</p> <p>9 that could be used to tie them to the items into the</p> <p>10 system.</p> <p>11 Q Do you know if this batch program to tie</p> <p>12 the UNSPSC codes to the items was actually</p> <p>13 implemented?</p> <p>14 A Based on what we saw earlier, I saw the</p> <p>15 information that would use that, so yes.</p> <p>16 Q Can you turn to page 3 of the document.</p> <p>17 A Okay.</p> <p>18 Q There's a table entitled "POVAGRMTLN." Do</p> <p>19 you see that table?</p> <p>20 A Mm-hmm. Yes, I do.</p> <p>21 Q Do you know what that refers to?</p> <p>22 A I do not know what that specific table</p>

<p>289</p> <p>1 name -- someone shorthanded to something. What it's</p> <p>2 supposed to translate to, I don't know.</p> <p>3 Q Do you know if it stands for Purchase</p> <p>4 Order Vendor Agreement Line?</p> <p>5 A It very well should, yes. It makes sense.</p> <p>6 Q Do you know what the Purchase Order Vendor</p> <p>7 Agreement Line table in the database would relate to?</p> <p>8 A The individual items, the vendor items</p> <p>9 that we talked about previously.</p> <p>10 Q The vendor items that were included in</p> <p>11 that agreement that was negotiated between the Lawson</p> <p>12 customer and the vendor?</p> <p>13 A Yes.</p> <p>14 Q So are these -- does this table define the</p> <p>15 fields in the Item Master that are associated with</p> <p>16 each item in a vendor agreement file?</p> <p>17 A At this particular time back in -- up to</p> <p>18 2002, yes.</p> <p>19 Q Do you know if there have been any changes</p> <p>20 in the fields associated with an item in a vendor</p> <p>21 agreement file?</p> <p>22 A I do know that our upcoming release, that</p>	<p>291</p> <p>1 THE VIDEOGRAPHER: We're now back on the</p> <p>2 record. The time is 5:51 p.m.</p> <p>3 BY MS. ALBERT:</p> <p>4 Q Mr. Christopherson, the reporter has</p> <p>5 marked as Christopherson Exhibit Number 24 a document</p> <p>6 entitled "Product Development Requirements Document."</p> <p>7 It bears production numbers L 0000812 through 822.</p> <p>8 Have you seen Exhibit 24 before today?</p> <p>9 A No, I have not.</p> <p>10 Q Is the product development requirements</p> <p>11 document a standard type of document used in the</p> <p>12 ordinary course of Lawson's business?</p> <p>13 A Yes, it is.</p> <p>14 Q What is the purpose for a product</p> <p>15 development requirements document?</p> <p>16 A It is intended to capture the business</p> <p>17 requirements that are needed within the product.</p> <p>18 Generally done, today it's created by our product</p> <p>19 management personnel.</p> <p>20 Q And to whom are product development</p> <p>21 requirements documents disseminated?</p> <p>22 A Those would first, in initial draft form,</p>
<p>290</p> <p>1 GTIN and GLN would also be in there.</p> <p>2 Q That's all I have for that document.</p> <p>3 MS. ALBERT: Do you think it's a good time</p> <p>4 to take a break for the day? Or do you want to keep</p> <p>5 going?</p> <p>6 THE WITNESS: I'm fine. Why don't we take</p> <p>7 a five, ten-minute break now. We can go longer.</p> <p>8 MS. ALBERT: Okay.</p> <p>9 THE WITNESS: How do you feel as far as</p> <p>10 for tomorrow?</p> <p>11 MS. ALBERT: I think I could probably get</p> <p>12 done in your time --</p> <p>13 THE WITNESS: How much time do you think</p> <p>14 you need tomorrow?</p> <p>15 MS. ALBERT: Can we go off the record</p> <p>16 first?</p> <p>17 THE VIDEOGRAPHER: We're going off the</p> <p>18 record. The time is 5:42 p.m.</p> <p>19 (Recess.)</p> <p>20 (Christopherson Exhibit 24 was marked for</p> <p>21 identification and attached to the deposition</p> <p>22 transcript.)</p>	<p>292</p> <p>1 be disseminated to the product development team. And</p> <p>2 within that team specifically, key people that would</p> <p>3 get it would be the business analysts, maybe</p> <p>4 management team, might be some of the developers.</p> <p>5 Also support would be involved with that.</p> <p>6 Q Do you see on the first page it indicates</p> <p>7 that the author was Rob Wickham? Do you see that?</p> <p>8 A Yes, I do.</p> <p>9 Q Do you know who Mr. Wickham is?</p> <p>10 A Yes, I do.</p> <p>11 Q What position does he hold?</p> <p>12 A He does not hold a position at Lawson</p> <p>13 currently.</p> <p>14 Q So he's no longer with Lawson?</p> <p>15 A That's correct.</p> <p>16 Q Do you know what position he held with</p> <p>17 Lawson at the time he authored this document?</p> <p>18 A No, I do not.</p> <p>19 Q Do you know where Mr. Wickham is currently</p> <p>20 employed?</p> <p>21 A I do not.</p> <p>22 Q In what context do you know him?</p>

<p>293</p> <p>1 A I knew him when I was working, as we</p> <p>2 mentioned earlier this morning, the e-Hub project.</p> <p>3 He was one of the business analysts with that</p> <p>4 particular product. So I worked with him about a</p> <p>5 year prior to this time frame.</p> <p>6 Q Do you see the first sentence reads, "The</p> <p>7 requirements document is the broad expansion of a</p> <p>8 feature's high level source requirements into</p> <p>9 detailed requirements and represents its initial</p> <p>10 design documentation."</p> <p>11 Does that accurately describe the purpose</p> <p>12 of a product development requirements document?</p> <p>13 A Not today. The difference today is that</p> <p>14 it would have the broad feature high level</p> <p>15 requirements, but not go into the detailed design</p> <p>16 requirements. It may have the detailed -- detailed</p> <p>17 requirements, but not in, again, that initial design</p> <p>18 documentation. That belongs over in the other</p> <p>19 document that we looked at previously.</p> <p>20 Q Where are requirements documents</p> <p>21 maintained currently?</p> <p>22 A Product management maintains those.</p>	<p>295</p> <p>1 Q How can you tell that?</p> <p>2 A By having version 1.</p> <p>3 Q Okay. And what do the other IDs there</p> <p>4 indicate, D1 and D2?</p> <p>5 A Draft 1, draft 2.</p> <p>6 Q Can you turn back to the first page of the</p> <p>7 document.</p> <p>8 A Sure. Okay.</p> <p>9 Q Under "Functional Overview," the first</p> <p>10 sentence reads, "Lawson and certain marketplaces such</p> <p>11 as GHX or Neoforma will offer integration and</p> <p>12 functionality between their technology bases to</p> <p>13 enhance the user experience." Then it continues,</p> <p>14 "This will allow Lawson and GHX or Neoforma to</p> <p>15 leverage this enhancement to better strengthen their</p> <p>16 position in the healthcare vertical. Part of this</p> <p>17 integration exercise is the import and updates of</p> <p>18 catalog information."</p> <p>19 Why did Lawson want to integrate with the</p> <p>20 GHX and Neoforma catalogs?</p> <p>21 A Healthcare is a particular vertical that</p> <p>22 we try to sell to, and we're very successful in that.</p>
<p>294</p> <p>1 Q So do you know if a search was conducted</p> <p>2 for all requirements documents that would have been</p> <p>3 relevant to the various products that we've been</p> <p>4 discussing today?</p> <p>5 A I know one was requested to be done.</p> <p>6 Q Can you turn to page 10 of the document</p> <p>7 that ends with the Bates number 821.</p> <p>8 A Okay.</p> <p>9 Q Do you see in section 10 there's a</p> <p>10 revision history listed at the bottom there?</p> <p>11 A Yes, I do.</p> <p>12 Q Are requirements documents supposed to</p> <p>13 show revision history?</p> <p>14 A They typically do, until the point that</p> <p>15 they're actually accepted in by product development.</p> <p>16 Q So based on the revision history shown on</p> <p>17 this particular document, what does that tell you as</p> <p>18 far as whether or not this requirements document was</p> <p>19 accepted into development?</p> <p>20 A It tells me that the document itself made</p> <p>21 it at least to a point where product development had</p> <p>22 accepted it as a requirements document.</p>	<p>296</p> <p>1 And those are particular partners that work in the</p> <p>2 healthcare industry. So...</p> <p>3 Q Do you know, when did Lawson first start</p> <p>4 offering catalog data import services to its</p> <p>5 customers?</p> <p>6 A That question was asked I believe earlier.</p> <p>7 At that point in time I said I was not sure exactly</p> <p>8 when that was offered.</p> <p>9 Q Does Lawson currently have partnership</p> <p>10 agreements with GHX?</p> <p>11 A Yes.</p> <p>12 Q And what's the nature of Lawson's</p> <p>13 partnership with GHX?</p> <p>14 A I would have to go and look at the actual</p> <p>15 agreements to find out what those are.</p> <p>16 Q Does Lawson currently have a partnership</p> <p>17 agreement with Neoforma?</p> <p>18 A I do not know.</p> <p>19 Q Who would know the answer to that?</p> <p>20 A Keith might know that one. Also being</p> <p>21 able to look up to see if there's any agreements that</p> <p>22 exist within WebNow. It's a name I've not heard for</p>

<p>297</p> <p>1 a while.</p> <p>2 Q Under section 2.2, "Scope," the first</p> <p>3 sentence reads, "GHX offers the all source catalog</p> <p>4 that is basically a consolidation of all the vendors'</p> <p>5 items into a single source." It continues, "Neoforma</p> <p>6 has a similar catalog in that it is a consolidation</p> <p>7 of multiple vendor catalogs." And it also refers in</p> <p>8 that paragraph to the Lawson vendor catalog import</p> <p>9 program PO536.</p> <p>10 Do you know whether customers use that</p> <p>11 vendor catalog import program, PO536, in order to</p> <p>12 import the vendor catalogs from the all source</p> <p>13 catalog into their Item Master?</p> <p>14 A They wouldn't use it to import vendor</p> <p>15 catalogs. They would use it to import the all source</p> <p>16 catalog.</p> <p>17 Q And the all source catalog is a</p> <p>18 consolidation of multiple vendor items, is that your</p> <p>19 understanding?</p> <p>20 A As most catalogs are.</p> <p>21 Q That's all for that document.</p> <p>22 A Okay.</p>	<p>299</p> <p>1 new functionality following the product development</p> <p>2 requirements document?</p> <p>3 A One of two things would happen. Either it</p> <p>4 would stop at the requirements document, we decide</p> <p>5 not to go forward with it; or it would proceed on to</p> <p>6 a design document at some point.</p> <p>7 Q Do you know if this feature of integration</p> <p>8 between Lawson and the GHX all source catalog has</p> <p>9 actually been implemented at the current time?</p> <p>10 A I do not.</p> <p>11 Q Who would know the answer to that?</p> <p>12 A This one, it's been some time. I would</p> <p>13 probably go back to Jill Richardson and ask her. She</p> <p>14 would probably have to do some research into the</p> <p>15 actual product.</p> <p>16 Q Do you see under "Author," in addition to</p> <p>17 Mr. Wickham, there's a Mark Vitelli referenced there?</p> <p>18 A I do.</p> <p>19 Q Is Mark Vitelli still at Lawson?</p> <p>20 A If he is, he's not within the product</p> <p>21 development team.</p> <p>22 Q Do you know Mr. Vitelli?</p>
<p>298</p> <p>1 MS. ALBERT: Let me have the reporter mark</p> <p>2 as Christopherson Exhibit 25 a product development</p> <p>3 design document bearing production number L 0000775</p> <p>4 through 785.</p> <p>5 (Christopherson Exhibit 25 was marked for</p> <p>6 identification and attached to the deposition</p> <p>7 transcript.)</p> <p>8 THE WITNESS: Okay.</p> <p>9 BY MS. ALBERT:</p> <p>10 Q Are you familiar with the document that's</p> <p>11 been marked as Christopherson Exhibit 25?</p> <p>12 A No, I'm not.</p> <p>13 Q Do you know if this document -- if you</p> <p>14 look at the feature and product name, it talks about</p> <p>15 GHX, Neoforma, PO536 design. Do you know whether</p> <p>16 this is the next step in the implementation of the</p> <p>17 catalog integration with GHX and Neoforma that was</p> <p>18 discussed in Christopherson Exhibit 24?</p> <p>19 A With the limited time I've had to look at</p> <p>20 both of them here, I could not tell you for sure.</p> <p>21 Q But is the product development design</p> <p>22 document the next phase in the development of a -- of</p>	<p>300</p> <p>1 A I do not.</p> <p>2 Q Turn to page 2 of the document.</p> <p>3 A Okay.</p> <p>4 Q Do you see under section 3, "Related</p> <p>5 Documents," there are a number of documents listed</p> <p>6 there? They look like they're hyperlinks.</p> <p>7 A Yes.</p> <p>8 Q Do you know where those are retained?</p> <p>9 A I do not. Based on that link, I would say</p> <p>10 that it's on the Aurora server.</p> <p>11 Q Is there still an Aurora server at Lawson?</p> <p>12 A I do not recall ever connecting to it, at</p> <p>13 least in the last few years.</p> <p>14 Q That's all I have for that document.</p> <p>15 A Okay.</p> <p>16 MS. ALBERT: Let me have the reporter mark</p> <p>17 as Christopherson Exhibit 26 a document that has at</p> <p>18 the top of it, "PO536PD." And it bears production</p> <p>19 numbers L 0003304 through 319.</p> <p>20 (Christopherson Exhibit 26 was marked for</p> <p>21 identification and attached to the deposition</p> <p>22 transcript.)</p>

<p>1 THE WITNESS: Okay.</p> <p>2 BY MS. ALBERT:</p> <p>3 Q Can you identify what this document is?</p> <p>4 A Yes, I can.</p> <p>5 Q What is it?</p> <p>6 A It is the procedures division for the</p> <p>7 PO536 program.</p> <p>8 Q So is this the source code for that?</p> <p>9 A It is part of the source code.</p> <p>10 Q What's meant by "procedures division"?</p> <p>11 A Procedures division, within COBOL</p> <p>12 programming there's different divisions that all</p> <p>13 COBOL programs would have. And procedures division</p> <p>14 is the one that actually performs the actual</p> <p>15 computations, if you would.</p> <p>16 Q So this is the source code that is</p> <p>17 associated with the vendor price agreement batch load</p> <p>18 program? Is that correct?</p> <p>19 A That's PO536, yes.</p> <p>20 Q That's all I have for that.</p> <p>21 A I was hoping we were going to go deep into</p> <p>22 that one.</p>	<p>1 Q Do you know where the OAGIS documentation</p> <p>2 is maintained within Lawson?</p> <p>3 A I do not. If it's open source, we</p> <p>4 wouldn't maintain this. That would be the open</p> <p>5 source organization would maintain it.</p> <p>6 Q Well, who would retain copies of this</p> <p>7 catalog documentation within Lawson?</p> <p>8 A I do not know.</p> <p>9 Q Do you know whether this particular</p> <p>10 documentation relates to XML definitions for catalog</p> <p>11 item data transmission?</p> <p>12 A I do not.</p> <p>13 Q Do you know whether any trading partners</p> <p>14 send catalog item data to Lawson system users via</p> <p>15 XML?</p> <p>16 A I do not.</p> <p>17 Q Who would know the answer to that?</p> <p>18 A I would -- hmm. I would talk to probably</p> <p>19 several members of my staff. That would be Brent,</p> <p>20 and probably Jill, for starters.</p> <p>21 Q Brent, what was his last name?</p> <p>22 A Honedel, and then Jill Richardson.</p>
<p>1 MS. ALBERT: Let me have the reporter mark</p> <p>2 as Christopherson Exhibit 27 a document entitled</p> <p>3 "OAGIS9_2 Catalog Documentation." It bears</p> <p>4 production numbers LE 00098096 through 103.</p> <p>5 (Christopherson Exhibit 27 was marked for</p> <p>6 identification and attached to the deposition</p> <p>7 transcript.)</p> <p>8 THE WITNESS: Okay.</p> <p>9 BY MS. ALBERT:</p> <p>10 Q Are you familiar with the document that's</p> <p>11 been marked as Christopherson Exhibit 27?</p> <p>12 A I am not.</p> <p>13 Q Do you know what OAGIS stands for?</p> <p>14 A I've heard it once or twice before. I</p> <p>15 don't recall offhand.</p> <p>16 Q Do you know whether that's an open source</p> <p>17 organization?</p> <p>18 A I believe it is.</p> <p>19 Q Does Lawson make use of any open source in</p> <p>20 connection with any of its Supply Chain Management</p> <p>21 applications?</p> <p>22 A We might. We do document what we use.</p>	<p>1 Q We're done with that document.</p> <p>2 MS. ALBERT: Let me have the reporter mark</p> <p>3 as Christopherson Exhibit 28 a presentation entitled</p> <p>4 "Lawson GHX Briefing." It bears production numbers</p> <p>5 LE 00217620 through 635.</p> <p>6 (Christopherson Exhibit 28 was marked for</p> <p>7 identification and attached to the deposition</p> <p>8 transcript.)</p> <p>9 THE WITNESS: Okay.</p> <p>10 BY MS. ALBERT:</p> <p>11 Q Have you seen this presentation before?</p> <p>12 A I have not.</p> <p>13 Q Do you know who authored it?</p> <p>14 A I do not.</p> <p>15 Q Do you know the purpose for the</p> <p>16 presentation?</p> <p>17 A I do not.</p> <p>18 Q Who would know?</p> <p>19 A Not knowing who authored it...</p> <p>20 Q And GHX we said earlier was Global</p> <p>21 Healthcare Exchange; is that correct?</p> <p>22 A Yes, mm-hmm. Correct.</p>

<p>305</p> <p>1 Q And they're the ones, they have that all</p> <p>2 source catalog?</p> <p>3 A Correct.</p> <p>4 Q Can you turn to the page with the Bates</p> <p>5 number ending 624.</p> <p>6 A Okay.</p> <p>7 Q On that page, there's a description of</p> <p>8 Lawson Data Management Services. And it indicates</p> <p>9 that "Lawson Data Management Services helps</p> <p>10 healthcare organizations streamline and improve their</p> <p>11 supply chain operations by delivering standardized</p> <p>12 item and vendor information through the combination</p> <p>13 of Lawson's deep healthcare supply chain management</p> <p>14 software expertise and GHX's data enrichment</p> <p>15 standardization and classification processes."</p> <p>16 To whom are these Lawson Data Management</p> <p>17 Services provided?</p> <p>18 A Do not know.</p> <p>19 Q Who would know?</p> <p>20 A I've never heard that term before, even.</p> <p>21 So I don't know where to even go and start.</p> <p>22 Q Have you ever heard of data enrichment</p>	<p>307</p> <p>1 A Can you restate that question again? Or</p> <p>2 repeat it?</p> <p>3 MS. ALBERT: Can you read it back, please.</p> <p>4 (Requested portion of record read.)</p> <p>5 THE WITNESS: I do not know, based on the</p> <p>6 context of these slides. I still don't have --</p> <p>7 having never seen these slides before, understand</p> <p>8 what they're talking about.</p> <p>9 BY MS. ALBERT:</p> <p>10 Q Another service indicated under "Available</p> <p>11 Services" is "Vendor master cleansing, normalization</p> <p>12 and consolidation." Do you have any understanding of</p> <p>13 the nature of those type of services?</p> <p>14 A As offered by Lawson?</p> <p>15 Q Well, first, do you have any understanding</p> <p>16 of the nature of those services as offered by anyone?</p> <p>17 A Based on the words, I can formulate a</p> <p>18 picture of my mind what's going on, which is</p> <p>19 essentially making sure that what data that you have</p> <p>20 is as clean as possible when it's been on your</p> <p>21 system. For instance, you may already have the item</p> <p>22 record in your system, so why have a second copy of</p>
<p>306</p> <p>1 services being provided by anyone at Lawson?</p> <p>2 A No.</p> <p>3 Q Have you ever heard of the Lawson</p> <p>4 Professional Services organization providing any data</p> <p>5 enrichment services?</p> <p>6 A The answer remains the same. No.</p> <p>7 Q What about standardization processes?</p> <p>8 Does Lawson Professional Services provide data</p> <p>9 standardization processes?</p> <p>10 A None that I'm aware of.</p> <p>11 Q What about data classification processes,</p> <p>12 does Lawson Professional Services offer those types</p> <p>13 of services do its customers?</p> <p>14 A Same thing. Not having seen this before,</p> <p>15 I don't have a context. So...</p> <p>16 Q Can you turn to the next slide, it's with</p> <p>17 the Bates ending with 625. And this slide relates to</p> <p>18 available services. One available service is "Data</p> <p>19 extract and import into Lawson." So will Lawson</p> <p>20 Professional Services provide services to assist its</p> <p>21 customers with importing supplier catalog data into</p> <p>22 the Lawson Item Master?</p>	<p>308</p> <p>1 that item if you were to do an import? So that's</p> <p>2 what the cleansing and normalization is,</p> <p>3 consolidation.</p> <p>4 Q So do you know if Lawson Professional</p> <p>5 Services provides those type of services to Lawson</p> <p>6 customers?</p> <p>7 A I do not know.</p> <p>8 Q Who would you ask to find out that</p> <p>9 information?</p> <p>10 A I would go back to either ask Keith or</p> <p>11 someone within the professional services, not on the</p> <p>12 technical side but on the application side.</p> <p>13 Q And who are some of those individuals?</p> <p>14 A Can't recall anyone off the top of my head</p> <p>15 on that.</p> <p>16 Q One of the available services listed on</p> <p>17 this slide is to classify items to the UNSPSC</p> <p>18 categorization taxonomy. Do you have an</p> <p>19 understanding of the nature of those services?</p> <p>20 A Yes.</p> <p>21 Q What's your understanding of the nature of</p> <p>22 those services?</p>

<p>309</p> <p>1 A Taking each of the categories created by</p> <p>2 the UN and then classifying items to those, or</p> <p>3 assigning, you know, the UNSPSC code to each item in</p> <p>4 your database.</p> <p>5 Q So will Lawson Professional Services</p> <p>6 perform those type of services for its customers?</p> <p>7 A I'm unaware if they do or not.</p> <p>8 Q Can you turn to the page with the Bates</p> <p>9 number ending in 627.</p> <p>10 A Sure. Okay.</p> <p>11 Q There's a bullet point on this slide</p> <p>12 saying, "Lawson, hundreds of healthcare SCM</p> <p>13 implementations." Do you know how many total</p> <p>14 healthcare SCM implementations Lawson has performed?</p> <p>15 A No, I do not.</p> <p>16 Q Who would know the answer to that?</p> <p>17 A I don't know if anyone knows the actual</p> <p>18 number, if you're looking for, you know, a number.</p> <p>19 Q What about if I wanted to find out how</p> <p>20 many SCM implementations Lawson had performed in</p> <p>21 total, regardless of industry? Would you be able to</p> <p>22 find out that information?</p>	<p>311</p> <p>1 BY MS. ALBERT:</p> <p>2 Q Are you familiar with the document that's</p> <p>3 been marked as Christopherson Exhibit 29?</p> <p>4 A I've not seen it until now.</p> <p>5 Q Are you aware of a Lawson/GHX partnership?</p> <p>6 A Yes, I am.</p> <p>7 Q And what's your understanding of the</p> <p>8 nature of that partnership?</p> <p>9 A I'm aware that we have a partnership, but</p> <p>10 not the details of the partnership.</p> <p>11 Q If you look at the column on the left,</p> <p>12 there's the beginning of some FAQs. The first</p> <p>13 question asks, "Why are Lawson and GHX partnering?"</p> <p>14 The first bullet reads, "Provide customer with a</p> <p>15 single services solution for implementation."</p> <p>16 Do you know whether Lawson and GHX were</p> <p>17 partnering to jointly provide implementation</p> <p>18 services?</p> <p>19 A It appears to, based on this.</p> <p>20 Q Do you know if that was actually done?</p> <p>21 A I don't know the terms of the</p> <p>22 relationship. So I could not answer that.</p>
<p>310</p> <p>1 A Same thing. It's not the categorization</p> <p>2 of the vertical healthcare. It's just knowing how</p> <p>3 many we've implemented over the past, you know, 30</p> <p>4 plus years.</p> <p>5 Q At the bottom of the slide there's a line</p> <p>6 reading, "Good fit with Lawson's master data</p> <p>7 management strategy." What is Lawson's master data</p> <p>8 management strategy?</p> <p>9 A That one I would have to think about for</p> <p>10 some time. I know that we've had quite a few</p> <p>11 discussions on that. But it's all about having one</p> <p>12 location of what the actual data is. In this</p> <p>13 particular case we would be talking about item data,</p> <p>14 having one location of the truth for that.</p> <p>15 Q I'm done with that document.</p> <p>16 MS. ALBERT: Let me ask the reporter to</p> <p>17 mark as Christopherson Exhibit 29 a document entitled</p> <p>18 "Healthcare Field Update: Lawson GHX Partnership."</p> <p>19 It bears production numbers LE 00231983 through 984.</p> <p>20 (Christopherson Exhibit 29 was marked for</p> <p>21 identification and attached to the deposition</p> <p>22 transcript.)</p>	<p>312</p> <p>1 Q And a question on the right hand side</p> <p>2 reads, "How will the service be priced?" The bullet</p> <p>3 under that reads, "Pricing is driven by number of</p> <p>4 items and vendors to be enriched, standardized, and</p> <p>5 classified, and a fixed cost per item and vendor is</p> <p>6 established."</p> <p>7 Do you know how much of the fees Lawson</p> <p>8 gets versus the amount that GHX receives from one of</p> <p>9 these implementations?</p> <p>10 A I do not.</p> <p>11 Q Do you know whether any implementations</p> <p>12 for any customers have been provided pursuant to this</p> <p>13 Lawson/GHX partnership?</p> <p>14 A I do not.</p> <p>15 MS. ALBERT: I'm kind of at a good break</p> <p>16 now. I think the next documents that I have are</p> <p>17 fairly thick.</p> <p>18 MR. SCHULTZ: We're at 6:25 now.</p> <p>19 MS. ALBERT: Okay.</p> <p>20 THE VIDEOGRAPHER: This marks the end of</p> <p>21 tape number 4 in the deposition of Mr. Christopherson</p> <p>22 and the end of volume 1 of this deposition. The time</p>

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1 is 6:25 p.m.
 2 (Signature having not been waived, the
 3 deposition of DALE A. CHRISTOPHERSON was adjourned at
 4 6:26 p.m.)
 5 * * *
 6 ACKNOWLEDGEMENT OF DEPONENT
 7 I, DALE A. CHRISTOPHERSON, do hereby
 8 acknowledge that I have read and examined the
 9 foregoing testimony, and the same is a true, correct
 10 and complete transcription of the testimony given by
 11 me, and any corrections appear on the attached Errata
 12 sheet signed by me.
 13
 14 _____
 15 (DATE) (SIGNATURE)
 16
 17
 18
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 20
 21
 22

314

1 CERTIFICATE OF SHORTHAND REPORTER-NOTARY PUBLIC
 2 I, Lee Bursten, the officer before whom
 3 the foregoing deposition was taken, do hereby certify
 4 that the foregoing transcript is a true and correct
 5 record of the testimony given; that said testimony
 6 was taken by me stenographically and thereafter
 7 reduced to typewriting under my direction; and that I
 8 am neither counsel for, related to, nor employed by
 9 any of the parties to this case and have no interest,
 10 financial or otherwise, in its outcome.
 11 IN WITNESS WHEREOF, I have hereunto set my
 12 hand and affixed my notarial seal this 26th day of
 13 October, 2009.
 14 My commission expires: June 30, 2014.
 15
 16
 17
 18 _____
 19 LEE BURSTEN
 20 NOTARY PUBLIC IN AND FOR
 21 THE DISTRICT OF COLUMBIA
 22

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1 ERRATA SHEET
 2 IN RE: ePLUS INC. v. LAWSON SOFTWARE, INC.
 3 RETURN BY: _____
 4 PAGE LINE CORRECTION AND REASON
 5 _____
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 22 (DATE) (SIGNATURE)

316

1 ERRATA SHEET CONTINUED
 2 IN RE: ePLUS INC. v. LAWSON SOFTWARE, INC.
 3 RETURN BY: _____
 4 PAGE LINE CORRECTION AND REASON
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 20 _____
 21 _____
 22 (DATE) (SIGNATURE)

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of August, 2010, I will electronically file the foregoing

**PLAINTIFF ePLUS INC'S OBJECTIONS TO DEFENDANT'S
COUNTER DEPOSITION DESIGNATIONS, COUNTER-
COUNTER DESIGNATIONS AND REVISED SUMMARY OF DAY 1
(OCTOBER 19, 2009) OF THE DEPOSITION OF DALE CHRISTOPHERSON**

with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

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William D. Schultz, *pro hac vice*
Rachel C. Hughey, *pro hac vice*
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